

Voluntary Agricultural Districts



2018 Regional Preservation Workshops
May 2018

Agenda

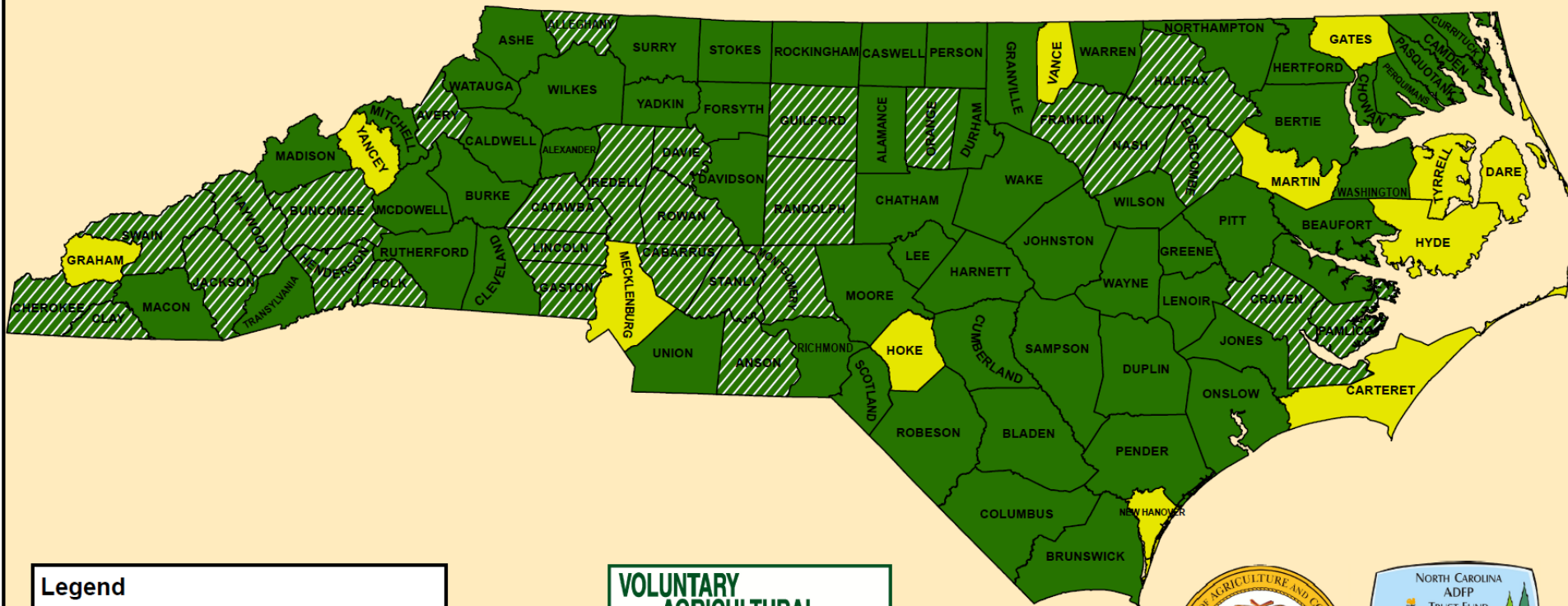
2018 Regional Preservation Workshops Agenda

Time	Session
9:30 AM	Welcome
9:40 AM	VAD Program Overview
10:00 AM	How to Find and Sustain Local Leadership
10:45 AM	Break – Refreshments brought to you by Farm Bureau
11:00 AM	Legal and Technical Issues
12:00 PM	Lunch - Brought to you by the North Carolina Farm Credit Network and the NC State Grange
1:00 PM	The Importance of Local Data and GIS
1:45 PM	How VAD Fits in the City/County Planning Process for NCDOT
2:45 PM	Other Conservation Programs for Landowners
3:15 PM	Question and Answer Session
3:30 PM	Adjourn

Voluntary Agricultural Districts Overview




- N.C. General Statutes Chapter 106, Article 61: The Farmland Preservation Enabling Act allows counties to adopt ordinances which provide for voluntary ag districts.
- § 106-738(b): The purpose of such agricultural districts shall be to increase identity and pride in the agricultural community and its way of life and to increase protection from nuisance suits and other negative impacts on properly managed farms.
- The VAD program is a county-level ordinance that establishes an Agricultural Advisory Board that provides a voice for farm, forestry and horticultural interests in local government.

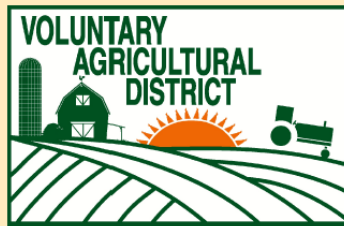
VOLUNTARY AGRICULTURAL DISTRICTS



Legend

88 Counties with VAD Programs

-  Voluntary Agricultural District Programs (59)
-  Enhanced VAD Programs (29)
-  None (12)



VAD Statewide Statistics

Farms Enrolled in the VAD Program Statewide	9,529
Acres of Farmland Enrolled in the VAD Program Statewide	782,423
Farms Enrolled in the Enhanced VAD Program Statewide	654
Acres of Farmland Enrolled in the Enhanced VAD Program Statewide	50,931
Total Farms Enrolled in the VAD and EVAD Program Statewide	10,183
Total Acres of Farmland Enrolled in the VAD and EVAD Program Statewide	833,354

VAD Benefits

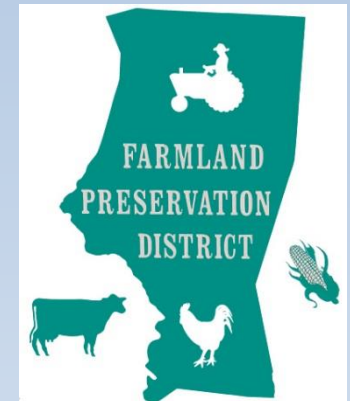
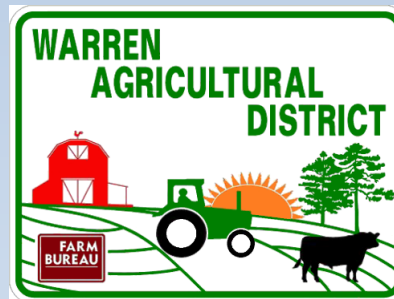
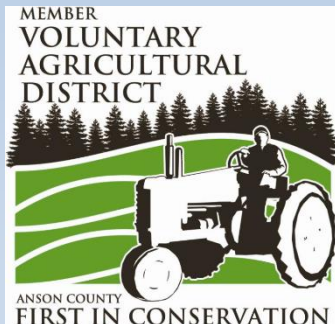
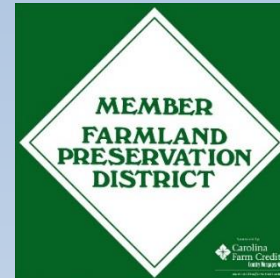
- § 106-739. Agricultural advisory board
 - Must be formed to comply with statute
 - Review and make recommendations concerning the establishment and modification of agricultural districts, and any ordinance or amendment adopted or proposed for adoption
 - Advises Board of Commissioners on agricultural issues
 - Runs VAD program (assistance from administrative entity like Soil and Water)
 - Holds public hearings on public projects affecting agriculture, especially condemnation of farmland
 - Each district must be represented on Board
 - Majority of the Board should be actively engaged in farming

VAD Benefits

- § 106-740. Public hearings on condemnation of farmland
 - “...may provide that no State or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a voluntary agricultural district under this Part or an enhanced voluntary agricultural district under Part 3 of this Article until such agency has requested the local agricultural advisory board established under G.S. 106-739 to hold a public hearing on the proposed condemnation.”
 - The Ag Advisory Board submits written findings and a recommendation to the decision-making body of the agency proposing acquisition.
 - Have 30 days after receiving a request to hold the public hearing and submit its findings and recommendations to the agency.
 - The agency may not formally initiate a condemnation action while the proposed condemnation is properly before the advisory board within these time limitations.

VAD Benefits

- § 106-741. Record notice of proximity to farmlands
 - County Geographic Information System (GIS) to notify the public of tracts or parcels “**within one-half mile of a voluntary agricultural district.**”
 - Deed notation
 - Mapping
 - Signage



VAD Benefits

- § 106-742. Waiver of water and sewer assessments
 - “A county or a city that has adopted an ordinance under this Part may provide by ordinance that its water and sewer assessments be held in abeyance, with or without interest, for farms, whether inside or outside of a voluntary agricultural district, until improvements on such property are connected to the water or sewer system for which the assessment was made.”
 - The ordinance may provide that, when the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.
 - Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.
 - Nothing in this section is intended to diminish the authority of counties or cities to hold assessments in abeyance

Qualifying Farmland

- To qualify for inclusion in an Ag District, farmland must:
 - Meet definition of “Agriculture” from N.C.G.S. 106-581.1
 - Crops, horticulture, forestry
 - Livestock and dairy (includes poultry, horses, and bees)
 - Aquaculture
 - Agritourism and value-added operations for items produced on the farm
 - Public or private grain warehouse or warehouse operation
 - General farm operations
 - Managed on accordance with NRCS practices for highly erodible land
 - Subject to a 10-year Conservation Agreement

Qualifying Farmland - Minimum Acreage Requirement

- County Commissioners set minimum required acreage.
- May require one or more farms

Conservation Agreement

- Landowner agrees to use land only for farm purposes for next ten years
- Allows creation of up to three residential lots
- Freely revocable by landowner upon written notice to the County
- May be recorded

Enhanced Voluntary Ag District Programs

- Requires a 10 year irrevocable Conservation Agreement
- Must be recorded
- Automatically renews for 3 years after the initial period unless notice is given by the landowner
- § 106-743.5. Waiver of utility assessments
 - All assessments for utilities provided by that county or city are held in abeyance, with or without interest, for EVAD farms
 - Similar provisions as for VADs and the waiver of water and sewer assessments
- Offers additional benefits to the landowner:
 - May sell nonfarm products without losing zoning exemption.
 - 90% cost share
 - EVAD may receive priority consideration for grants.

Advantages of Ag District Program

- It's completely voluntary
- It's flexible - counties may add other programs to be run by Ag Advisory Board for the Ag Districts

Limitations of Ag District Program

- Protection against nuisance suits is not absolute
- It's not uniform statewide

Adopting a VAD Ordinance

- Stakeholder meetings
- Support from county leadership, county agencies, private and nonprofit partners, and farmers and landowners
- Development of VAD ordinance
 - Models ordinances are available
- Approval from County Manager and County Attorney
- Passage by County Board of Commissioners

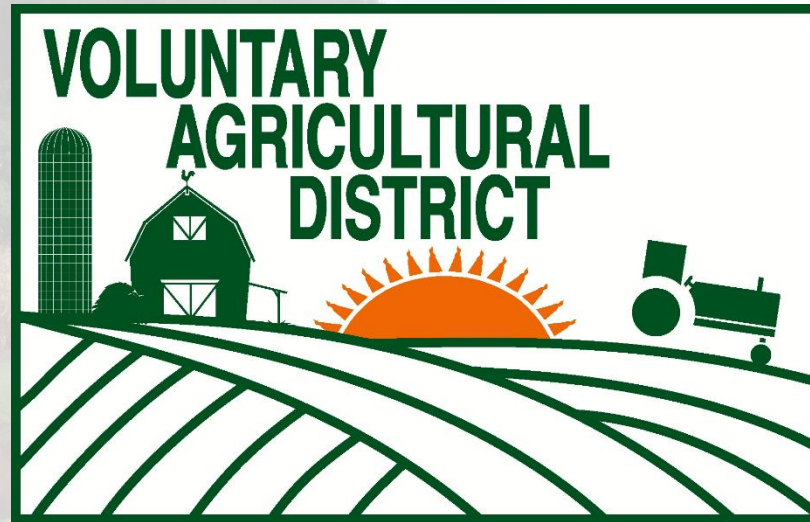
FAQs

- How are municipalities affected by the VAD ordinance?
- Is there assistance available to develop an ordinance?
 - ADFP Trust Fund grants are available to fund the development of the VAD ordinance. Grant Cycle XII opens October 15, 2018
- What resources are available to counties?
 - State VAD Workgroup
 - Coming soon: www.NCVAD.org
 - Documents, links, and contact information available through www.NCADFP.org

Questions?



How To Find and Sustain Local Leadership for your VAD



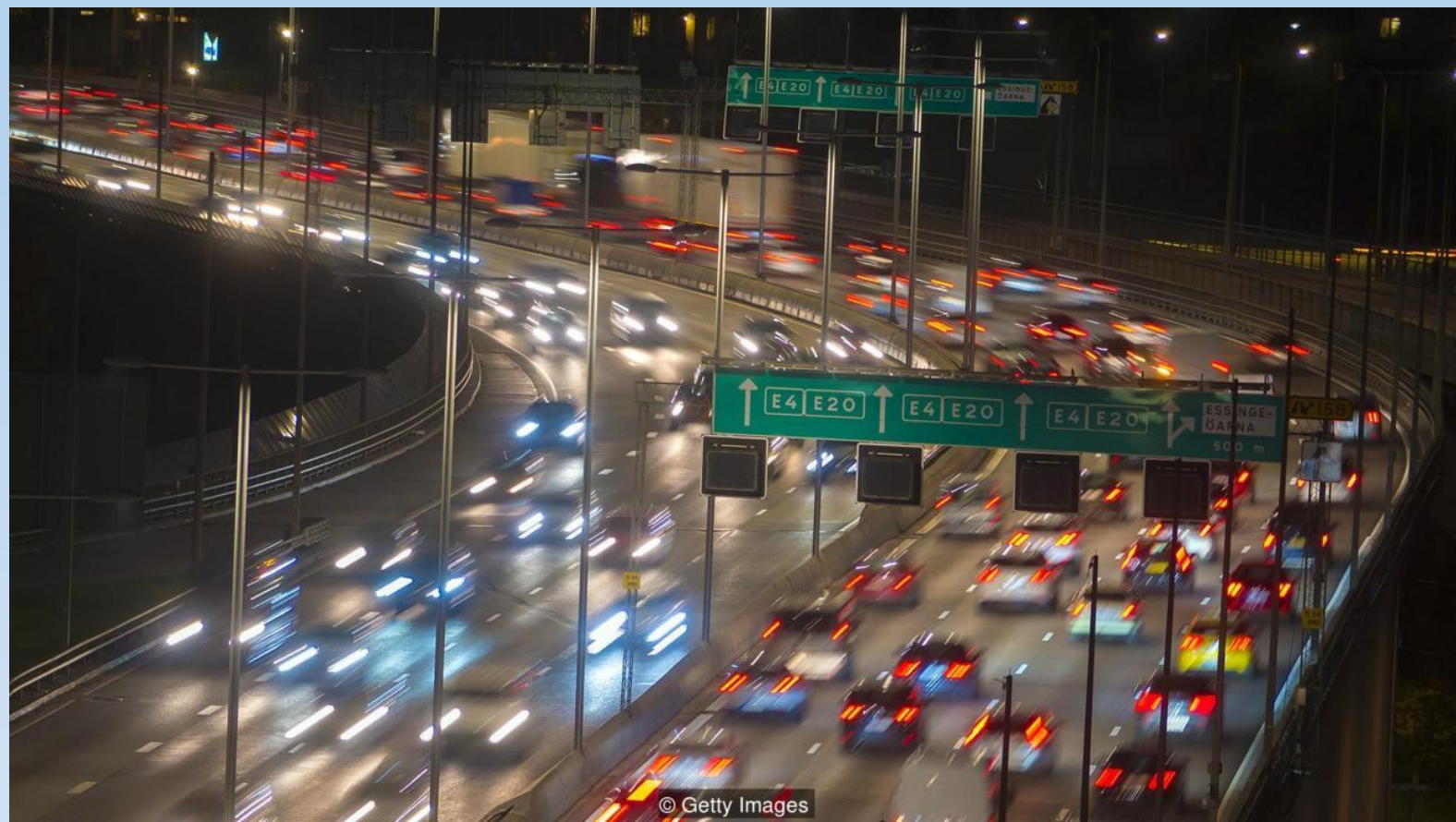
How To Find and Sustain Local Leadership for your VAD



Jerry Dorsett – Forsyth Co. VAD

Spring 2018

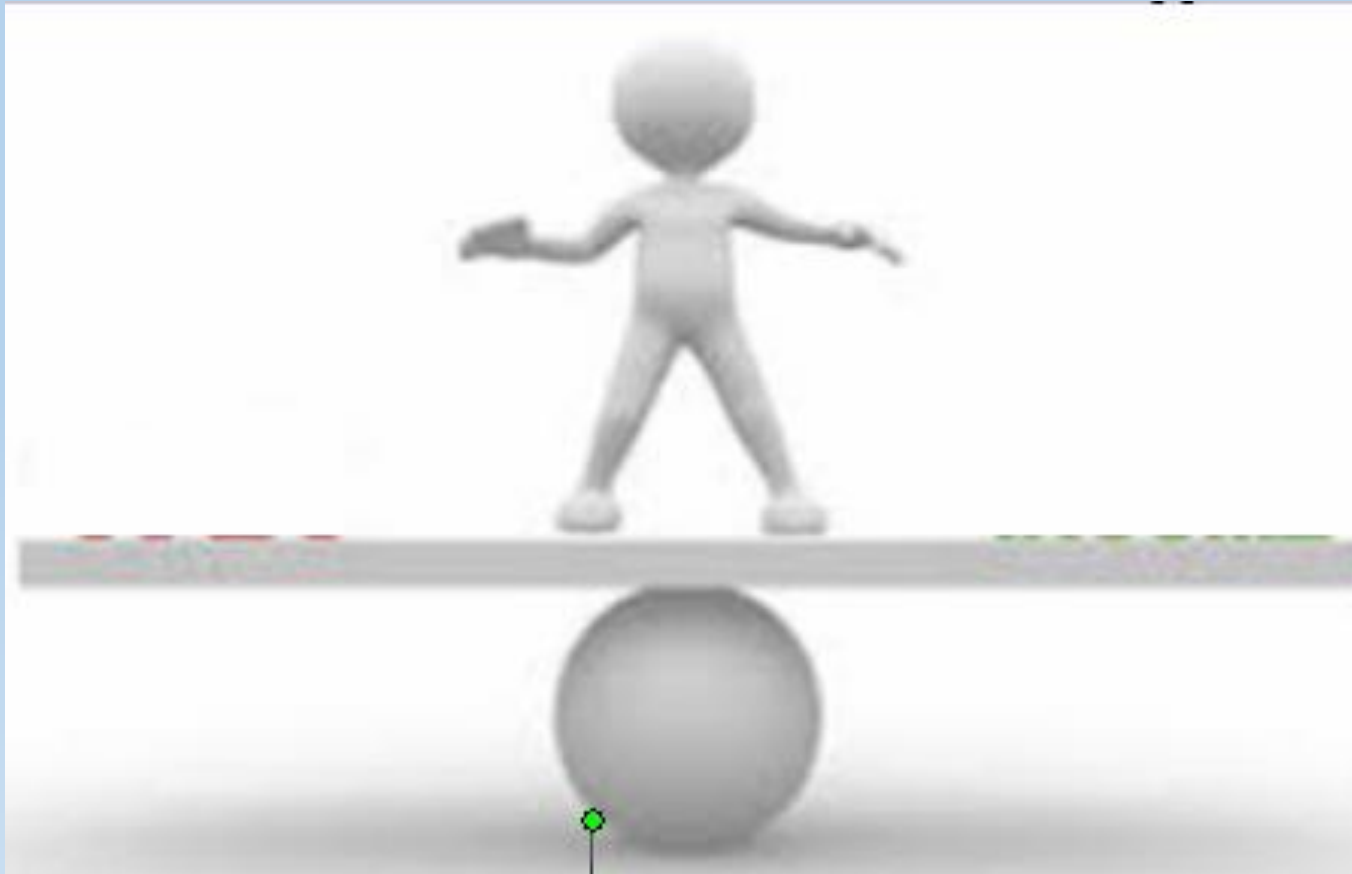




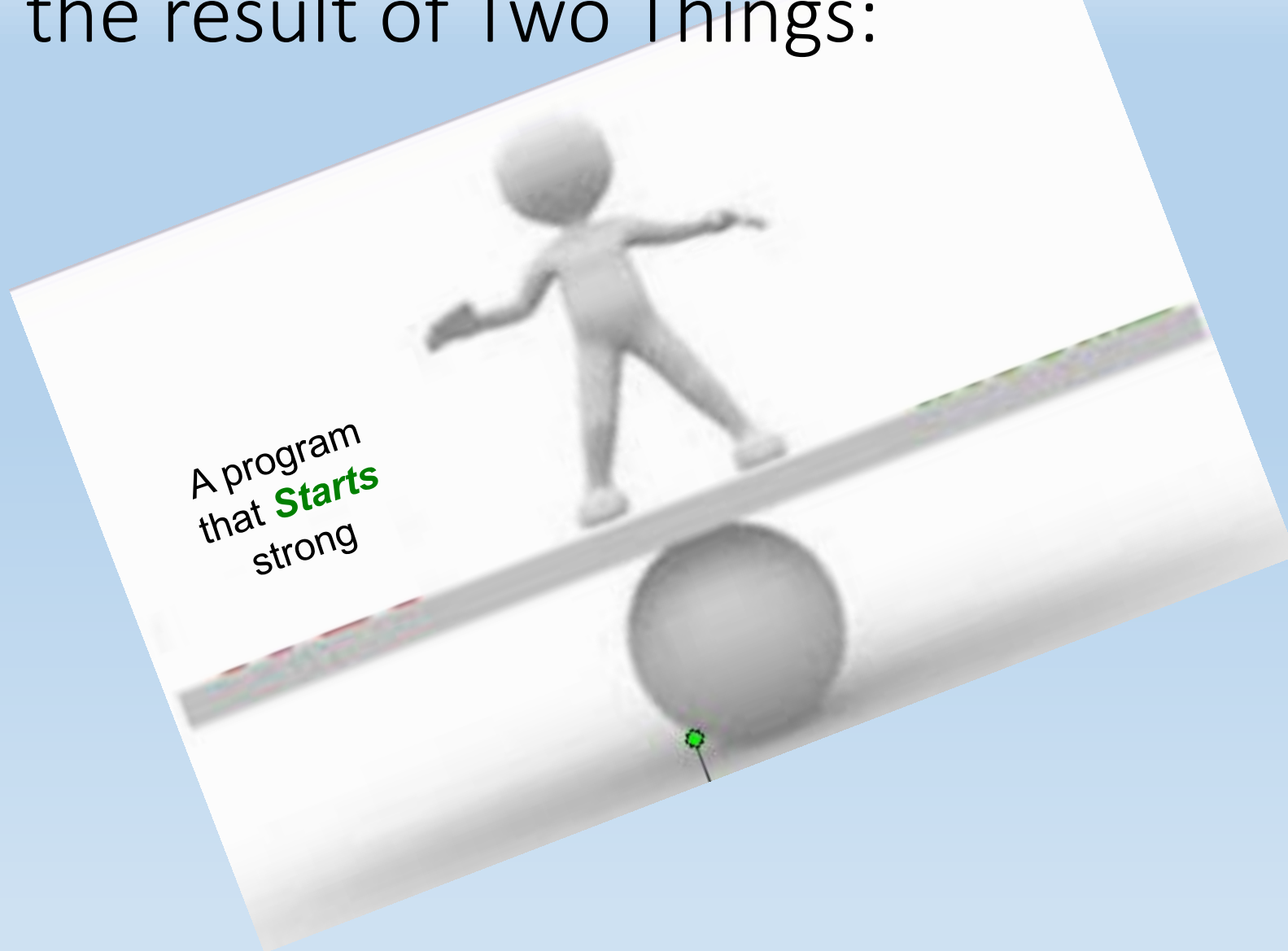
CAST YOUR VOTE



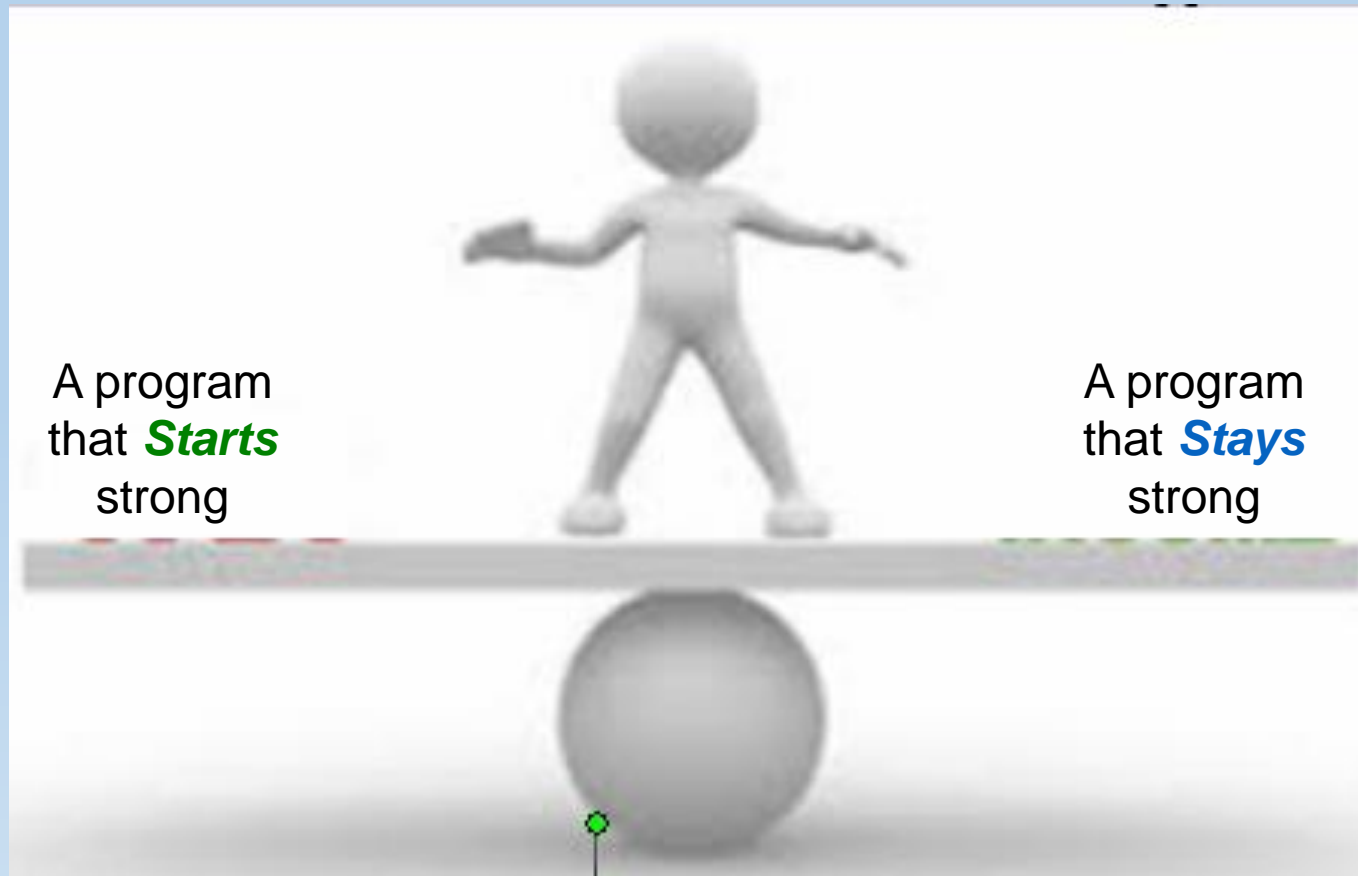
Strong and Sustainable VAD leadership is the result of Two Things:



Strong and Sustainable VAD leadership is the result of Two Things:



Strong and Sustainable VAD leadership is the result of Two Things:



So how do you start a strong VAD and how do you maintain a strong VAD?

IF YOU BUILD IT,
THEY WILL COME.





Field of Dreams (1989)

PG | 1h 47min | Drama, Family, Fantasy | 5 May 1989 (USA)

★ 7.5/10
94,297

★ Rate This



Field of Dreams (1989) - IMDb

www.imdb.com/title/tt0097351 ▼

An Iowa corn farmer, hearing voices, interprets them as a command to **build** a baseball diamond in his fields; he does, and the 1919 Chicago White Sox **come**.

The farmer's name is Ray.

Following is a quote by another character who is advising Ray throughout the movie.



A major reason the VAD is adopted by a county is people like seeing farms and they are sentimental about them. If you create a county VAD, farmers will come.

Forsyth County VAD

- Established 2008
- 93 farms
- 5,512 acres enrolled
- Forsyth Co. VAD ordinance being updated, going to a acreage minimum requirement of 5 acres
- Immediate look-up of VAD parcels online 7/24
- Is it a perfect VAD?

No, but we are striving and making it better!

Were you there?

Do you know?



How your VAD got started?

Do you treat your VAD like an upcoming vacation?



So what makes a sustainable VAD?



- Staff that takes a leading role with program administration
- Enrolling landowners & acreage every year
- Keeping the program current by reviewing the VAD files annually
- Keeping board members enthusiastic and challenged

How many of the following **12 questions** can your VAD board members, some of your farmers and county commissioners answer?

1. What is the purpose of your VAD?

2. What is the vision of your VAD?

3. What are the goals of your VAD?

4. What is being done to accomplish those goals?

5. What should your board members be doing, what are they willing to do and what are they doing?

6. What has your VAD accomplished both long term and during the past year?

7. Have you asked your board members to compile a list of future women and men to serve on your AAB?

8. How are you publicizing, or communicating the accomplishments of your VAD?

9. What is being done each year to recruit landowners to sign-up for your VAD?

10. Are meetings of your AAB orderly and with an agenda?

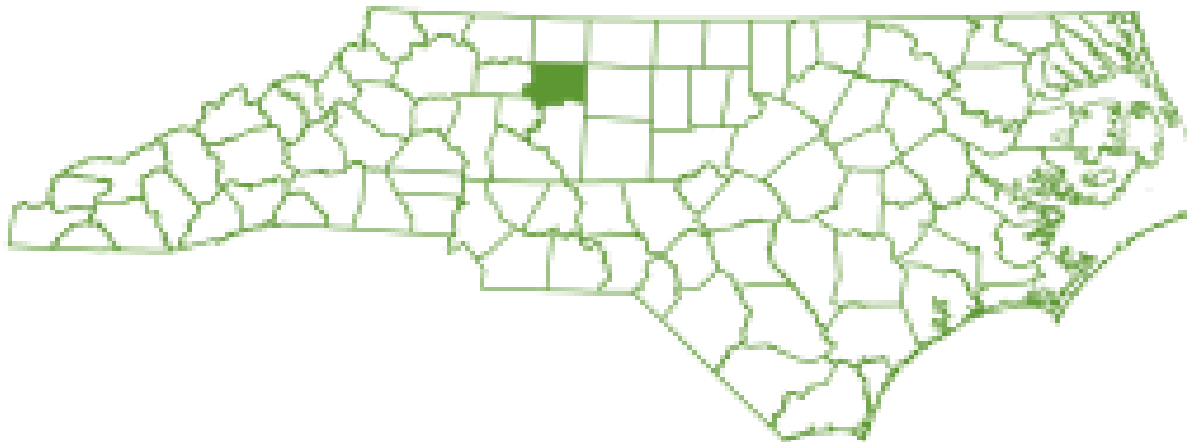
11. What is the condition of the economy, farms and forestry in your county?

12. Is there anything that farms and forestry operations in your county need, that the VAD can address?

Census of Agriculture - 2012

Total Acres in County	261,220
Number of Farms	662
Total Land in Farms, Acres	40,467
Average Farm Size, Acres	61
Harvested Cropland, Acres	17,219
Average Age of Farmers	61.9
Average Value of Farm & Buildings	\$336,233,000
Average Market Value of Machinery & Equipment	\$30,803,000
Average Total Farm Production Expense	\$32,242

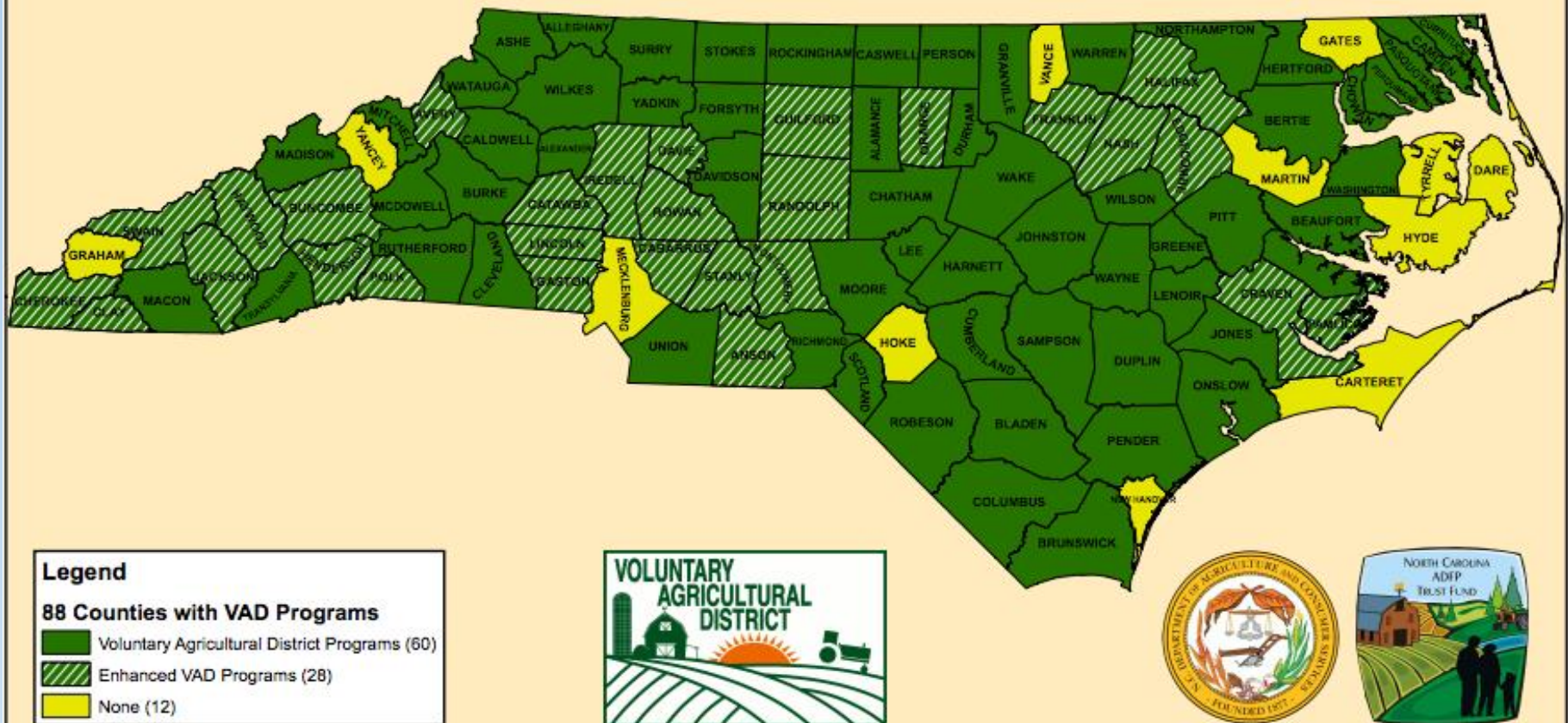
Total			13,280,766	87
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Farm economy \$'s surprise folk and in Forsyth County with minor agriculture, it = **\$13 million** in the locally economy every year.

So who is doing it right?

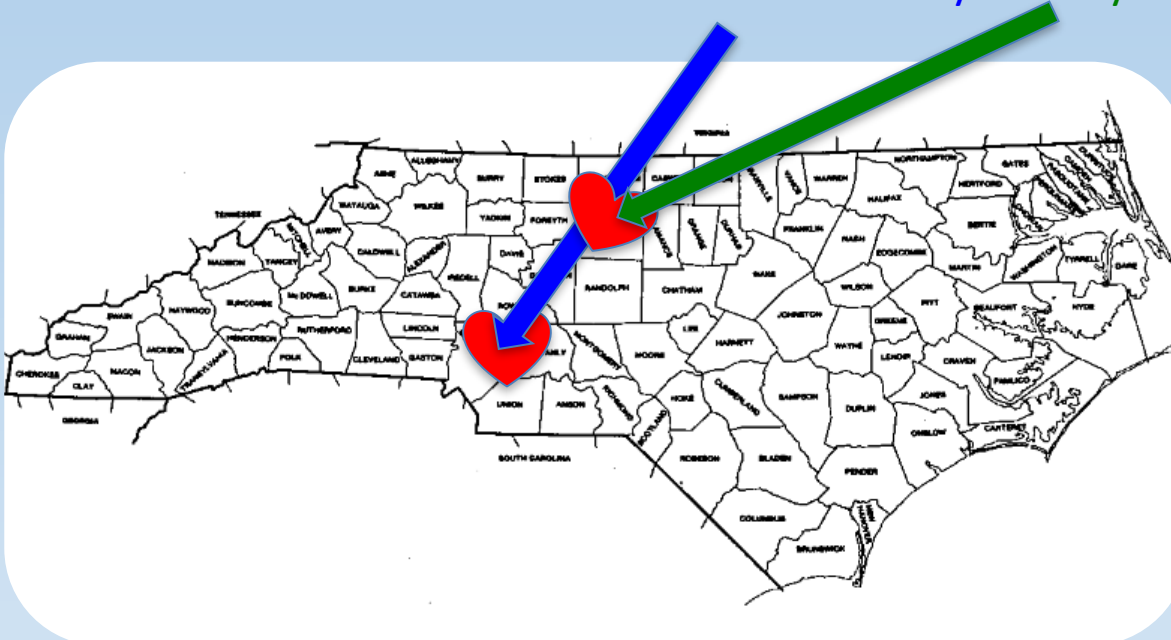
VOLUNTARY AGRICULTURAL DISTRICTS



- A. Appoint great board members who are interested in farms and likely to take the initiative to be informed by reading and networking
- establish VAD board member **term limits**
 - use emails and meetings to educate your board members
 - meet regularly as needed, staff having all forms and paperwork in order

Who excels in this arena?

Cabarrus County & Forsyth County



- B. Keep your board members challenged (do we need an EVAD, should we petition the county for PUV rollback dollars for easement purchases and what are our farmland loss statistics.

Who excels in this arena?

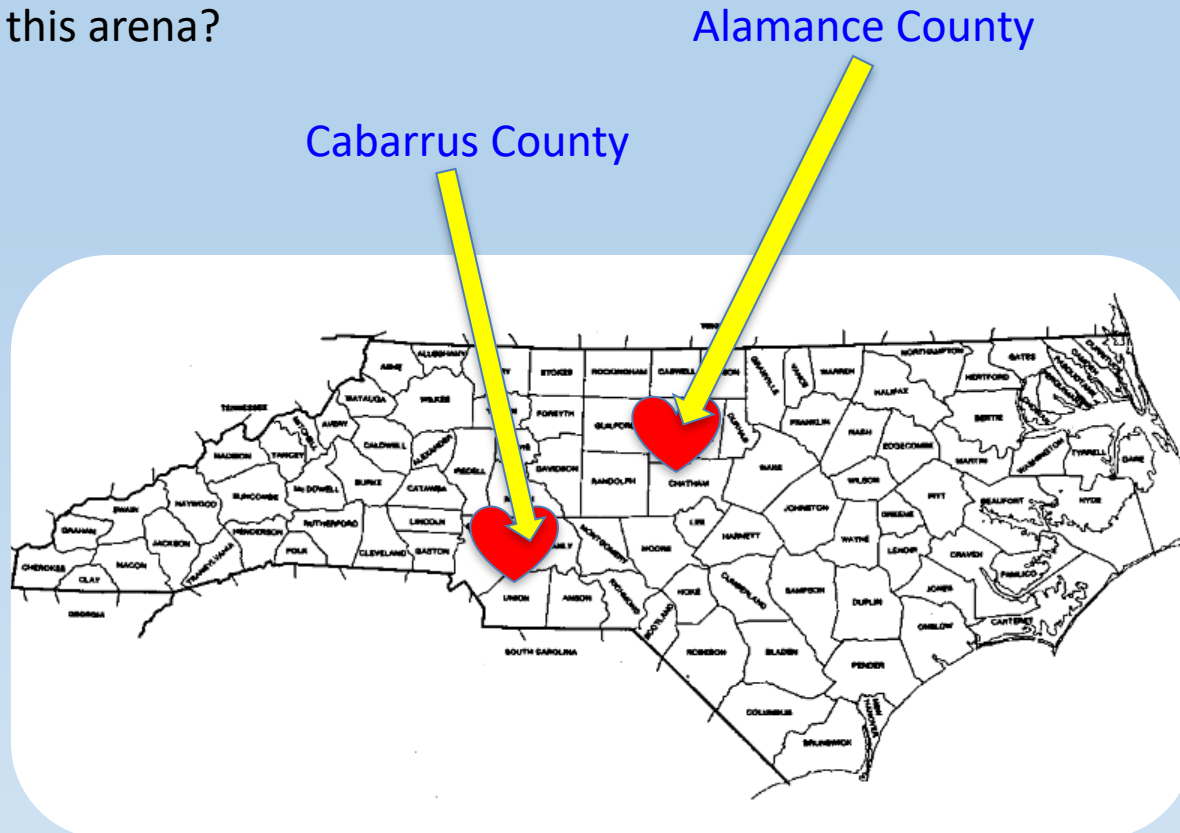
Alamance County

Taking on new issues of concern to farmers
(*Alamance Co.*) – rollback money for ease - - - - - ments from PUV, Nuisance Ordinance.



C. Create a crisis – encourage DOT to condemn farms for new roads in your county and all surrounding counties.

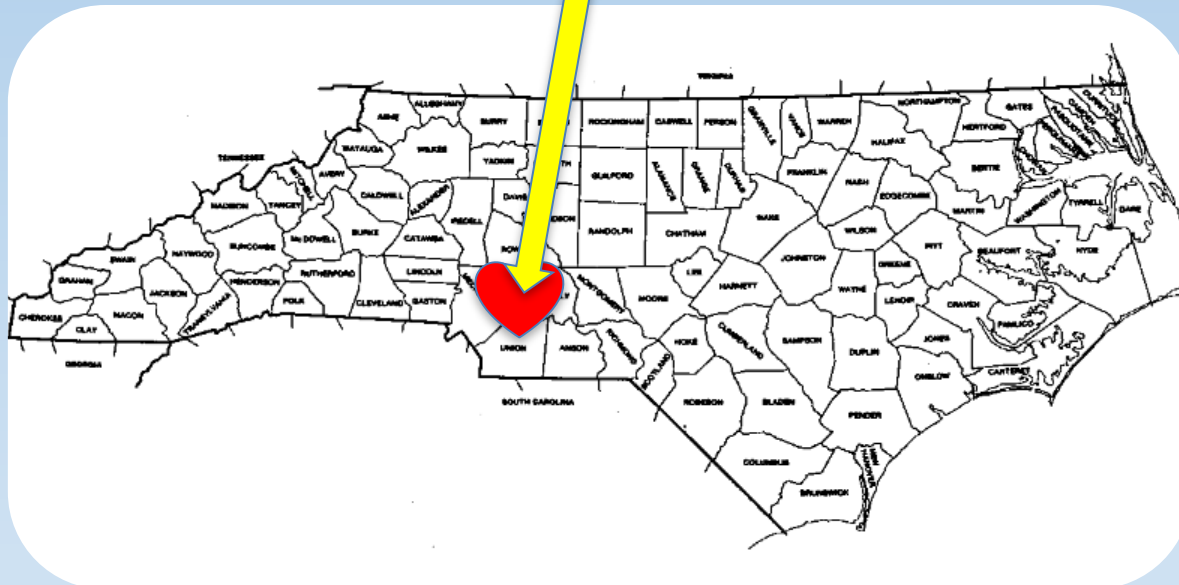
Who excels in this arena?



D. Have great and challenging meetings of the AAB.
Create learning opportunities.

Who excels in this arena?

Cabarrus County

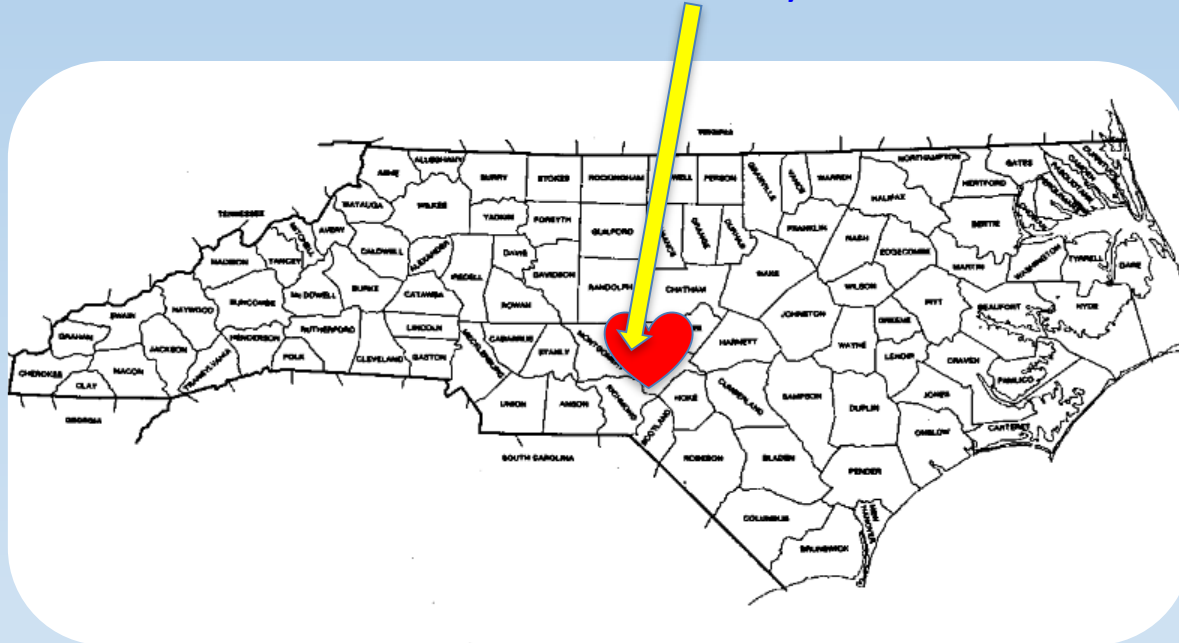


E. Promote, Promote & Promote some more!

VAD enrollment and the Century Farm Program to landowners at other events like the Farm City Banquet, conservation district events, etc. make certain land is being enrolled in the VAD several times a year, so that the board and staff is experiencing accomplishment.

Who excels in this arena?

Moore County



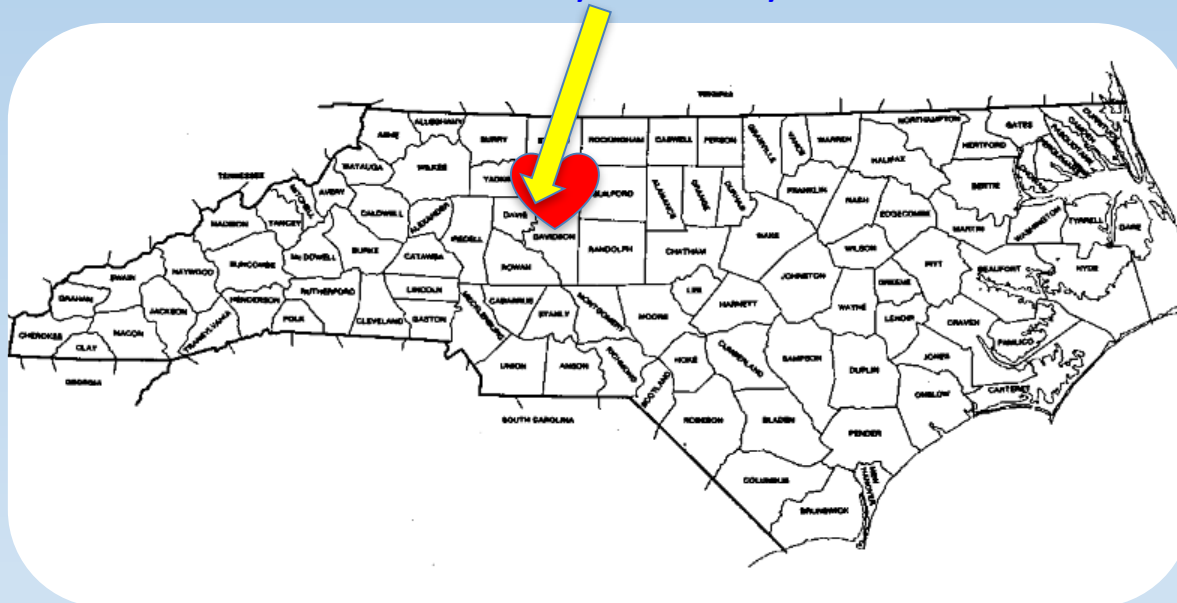
F. When was the last time the VAD files in your county were checked & updated? Keep your files in order and current. When I contacted different VADs, this was a rare occurrence according to staffers I asked.

Staff annually going through all VAD files to make certain they are up to date and to see if current enrollees have secured additional land that can be enrolled.

Are your records on the NCDA VAD web site up to date?

Who excels in this arena?

Forsyth County



Welcome to Forsyth County GeoData Explorer.

This site connects you to detailed Forsyth County real estate tax data. By clicking on the tab 'Quick Search' located at the top of the screen, specific properties can be researched by Property Address, Owner Name, Parcel ID (PIN) or Block Lot.

Once a property is selected, please see the link 'Detailed Property Info' to obtain detailed property information and the property record card. To print a property record, after clicking the 'Detailed Property Info' link, simply click on the "Print PRC" button in the upper right hand corner.

If you have any questions, please contact a customer care representative by calling 336-703-2300.

Disclaimer: This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey or zoning verification. Tax records are subject to change daily. Forsyth County makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability or suitability of this data. Forsyth County assumes no legal responsibility for the accuracy of the data on this website.



Forsyth County | North Carolina

FORSYTH.CC | DEPARTMENTS | ONLINE SERVICES
| COMMUNITY INFO

Forsyth Soil & Water Conservation



Secure | <https://www.co.forsyth.nc.us/CES/Conservation/>

Automobiles Computers Christianity Dorsett Associates

Forsyth County | North Carolina

Forsyth Soil & Water Conservation

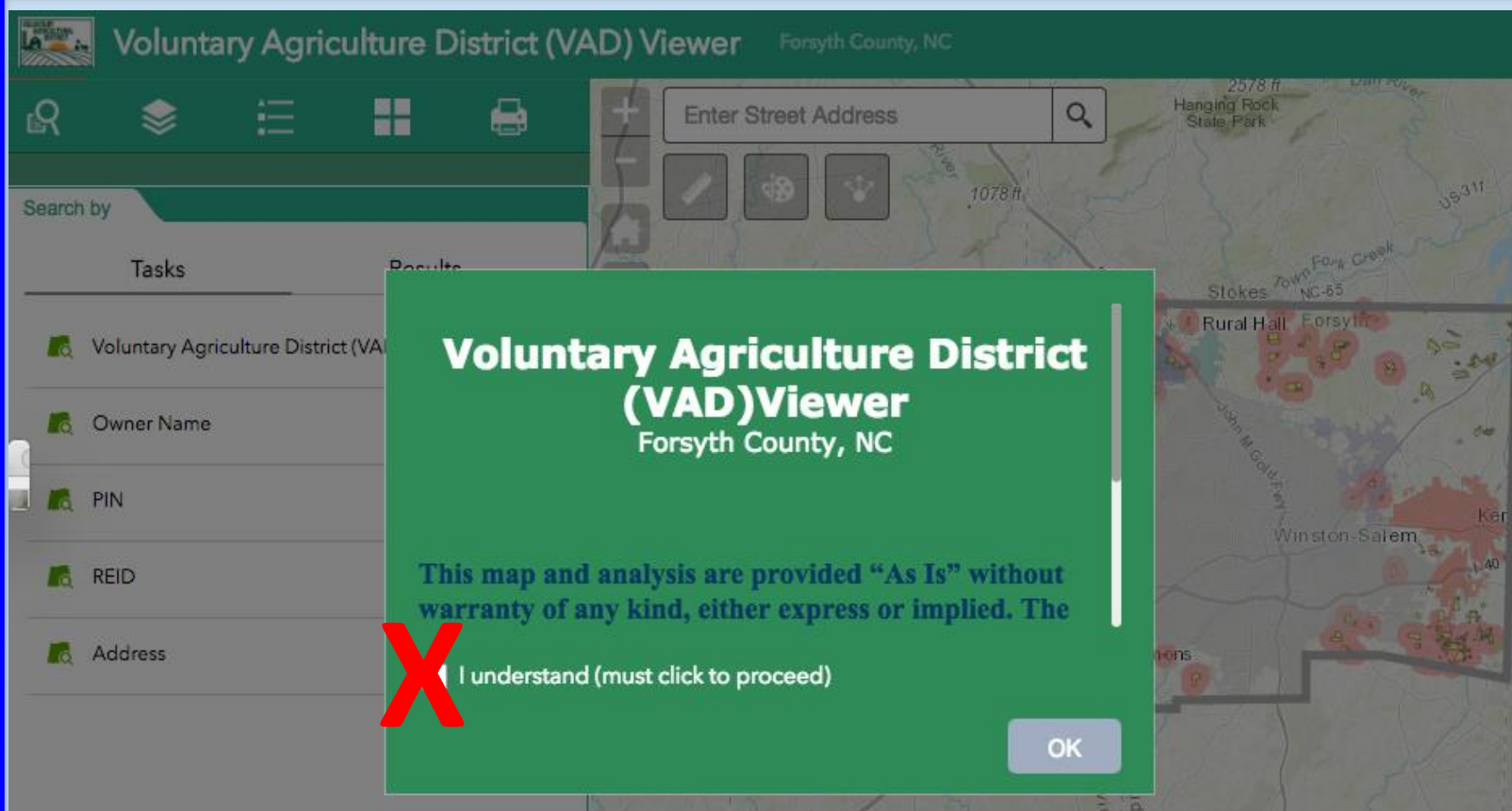
HOME

BOARD OF SUPERVISORS

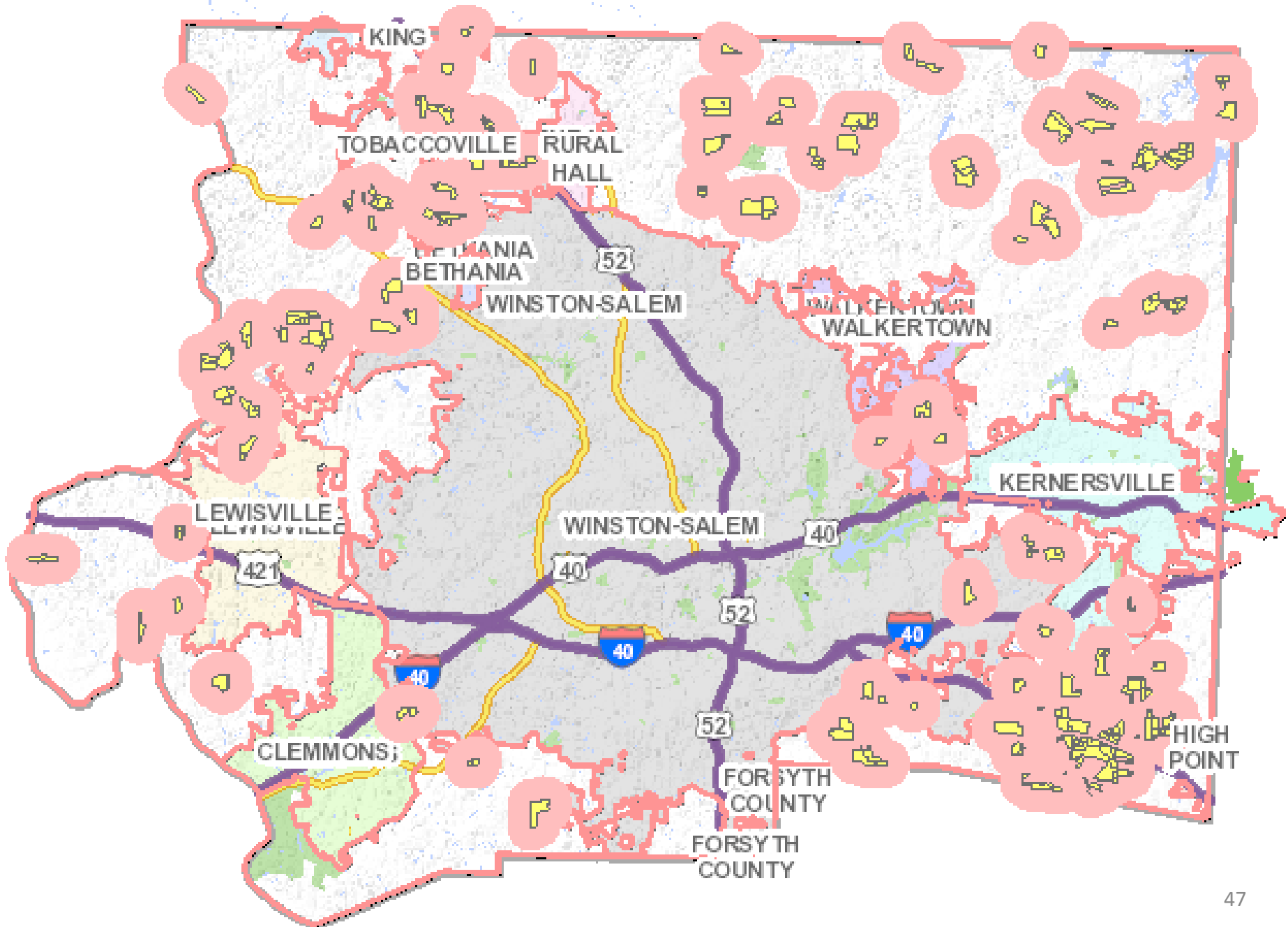
PROGRAMS

- Agriculture Cost Share
- Farmland Preservation (FPP)
- Voluntary Agricultural District (VAD)**
- Community Conservation Assistance Program (CCAP)

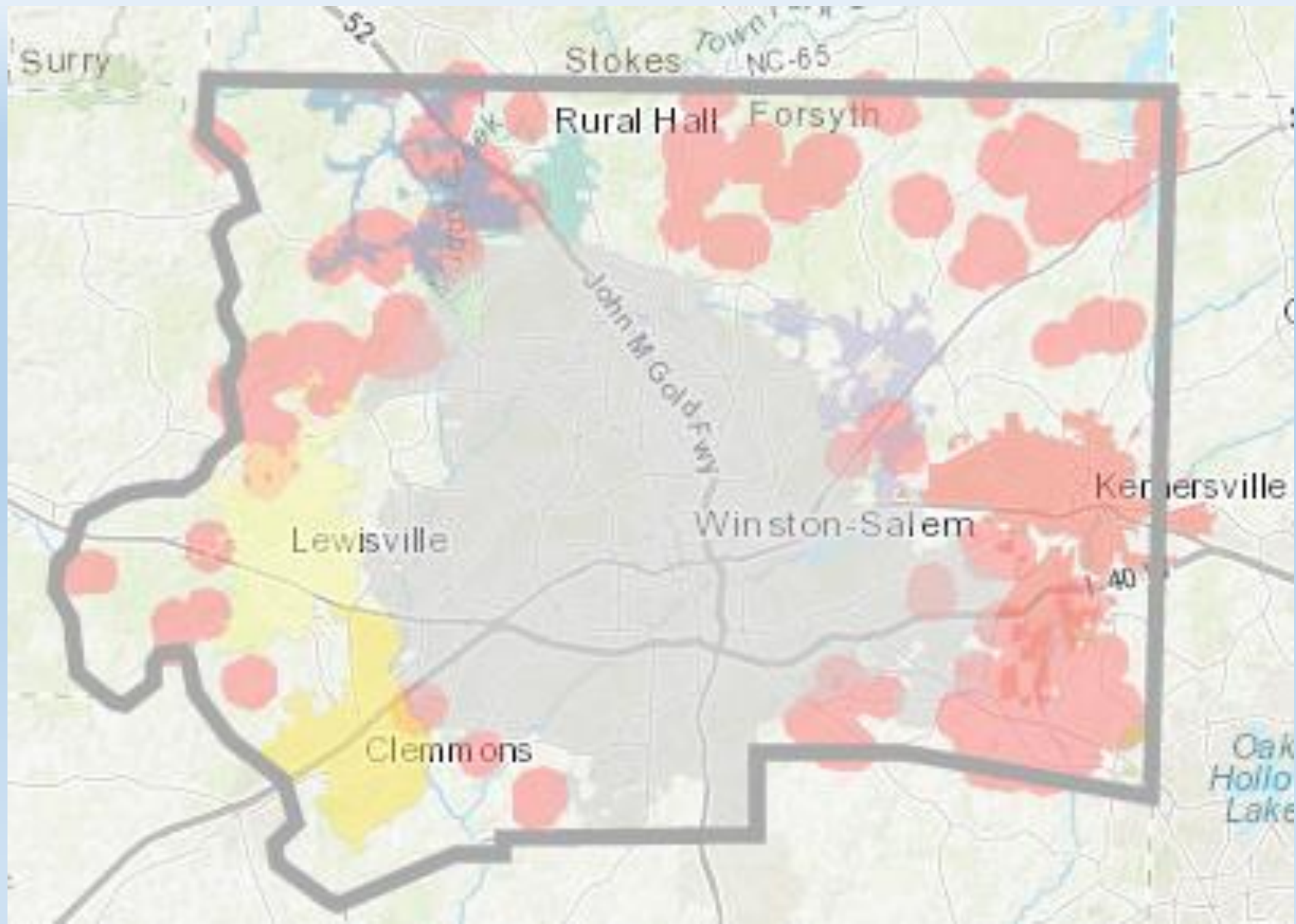
- [VAD Brochure](#)
- [VAD Policies](#)
- [VAD Application](#)
- [VAD Application Instructions](#)
- [VAD Viewer](#)



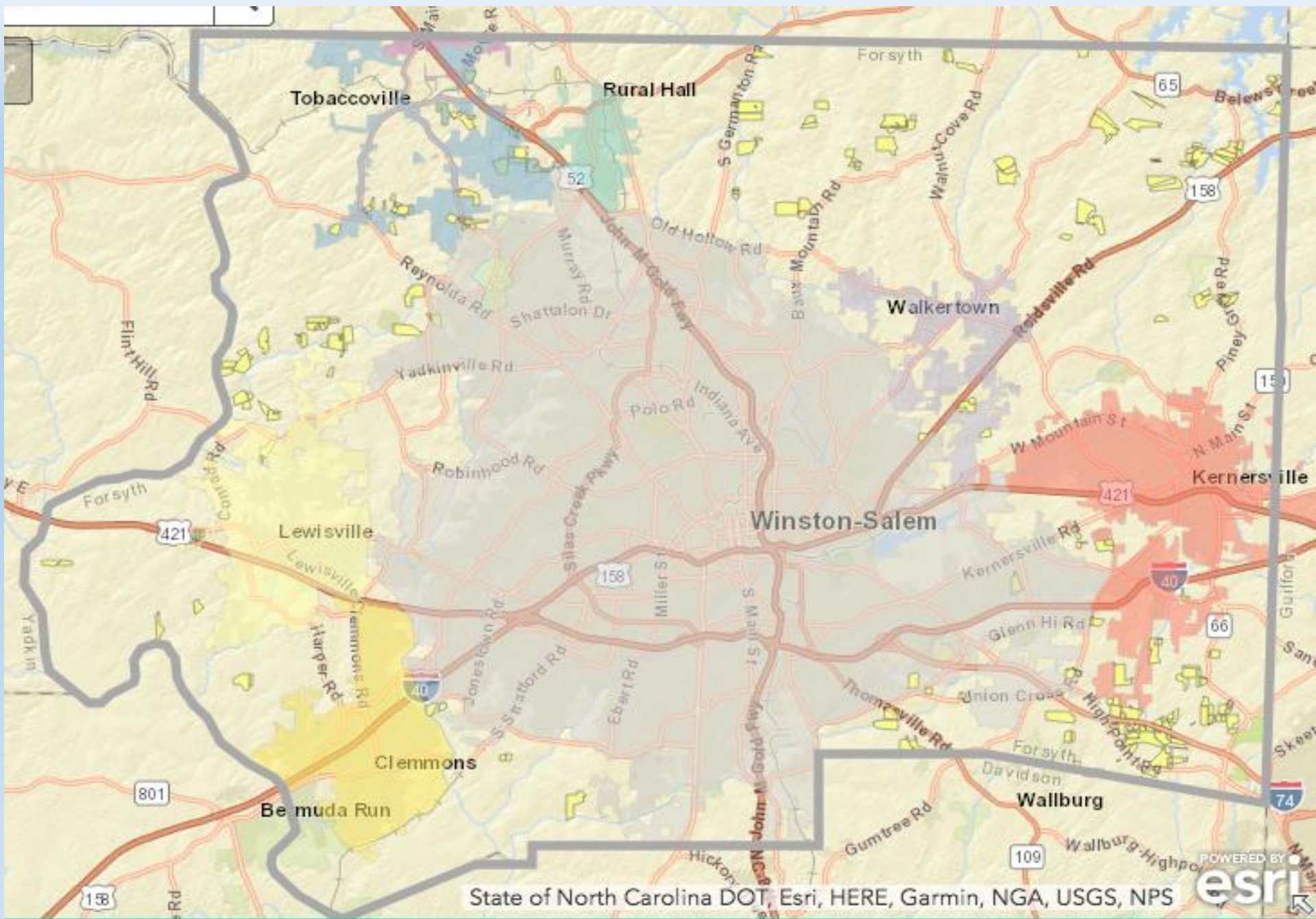
VAD enrolled land as of March, 2018 – Forsyth County, NC.



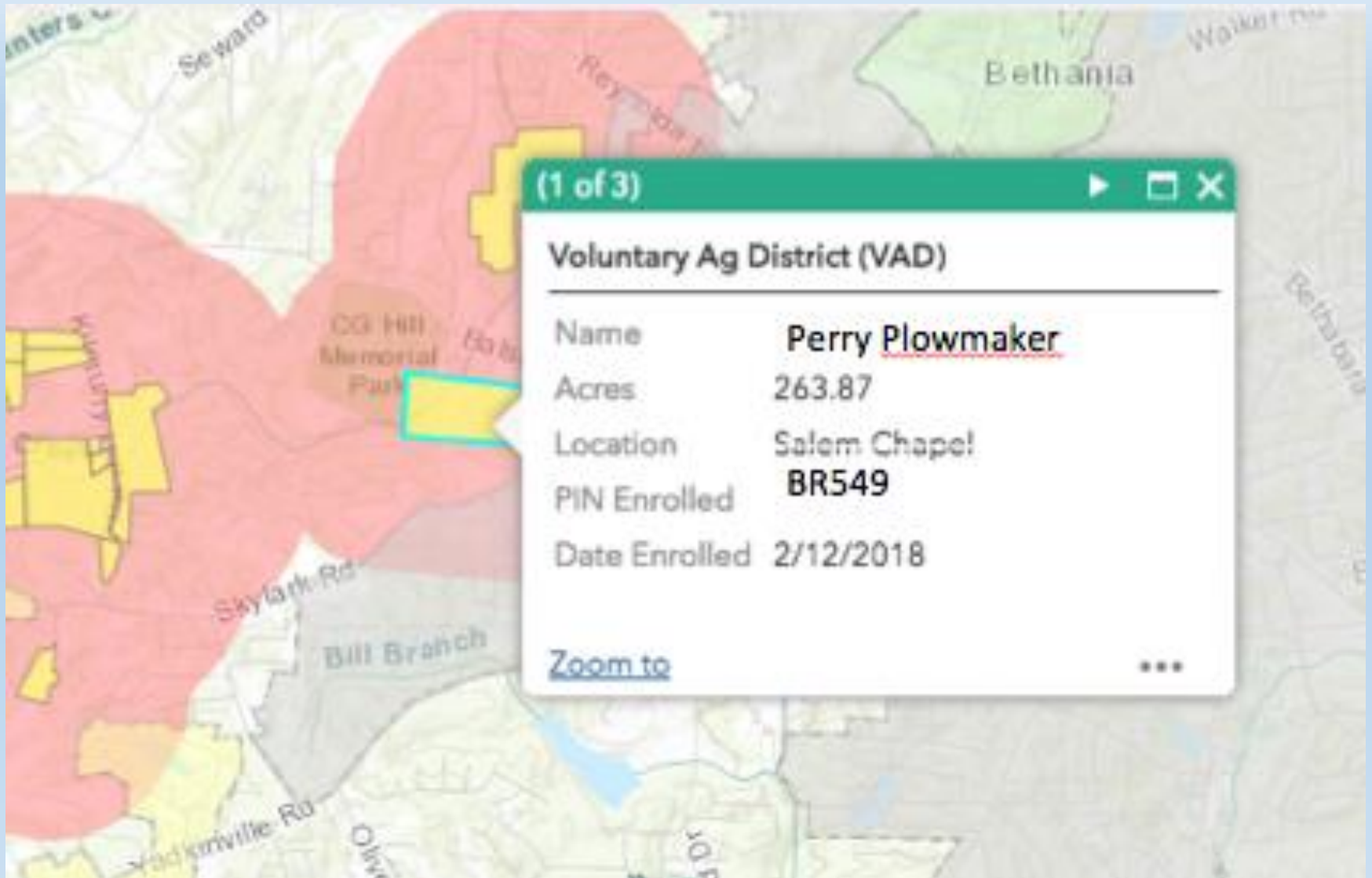
VAD Buffer Areas as of March, 2018 – Forsyth County, NC.



VAD Enrolled Tracts as of March, 2018 – Forsyth County, NC.

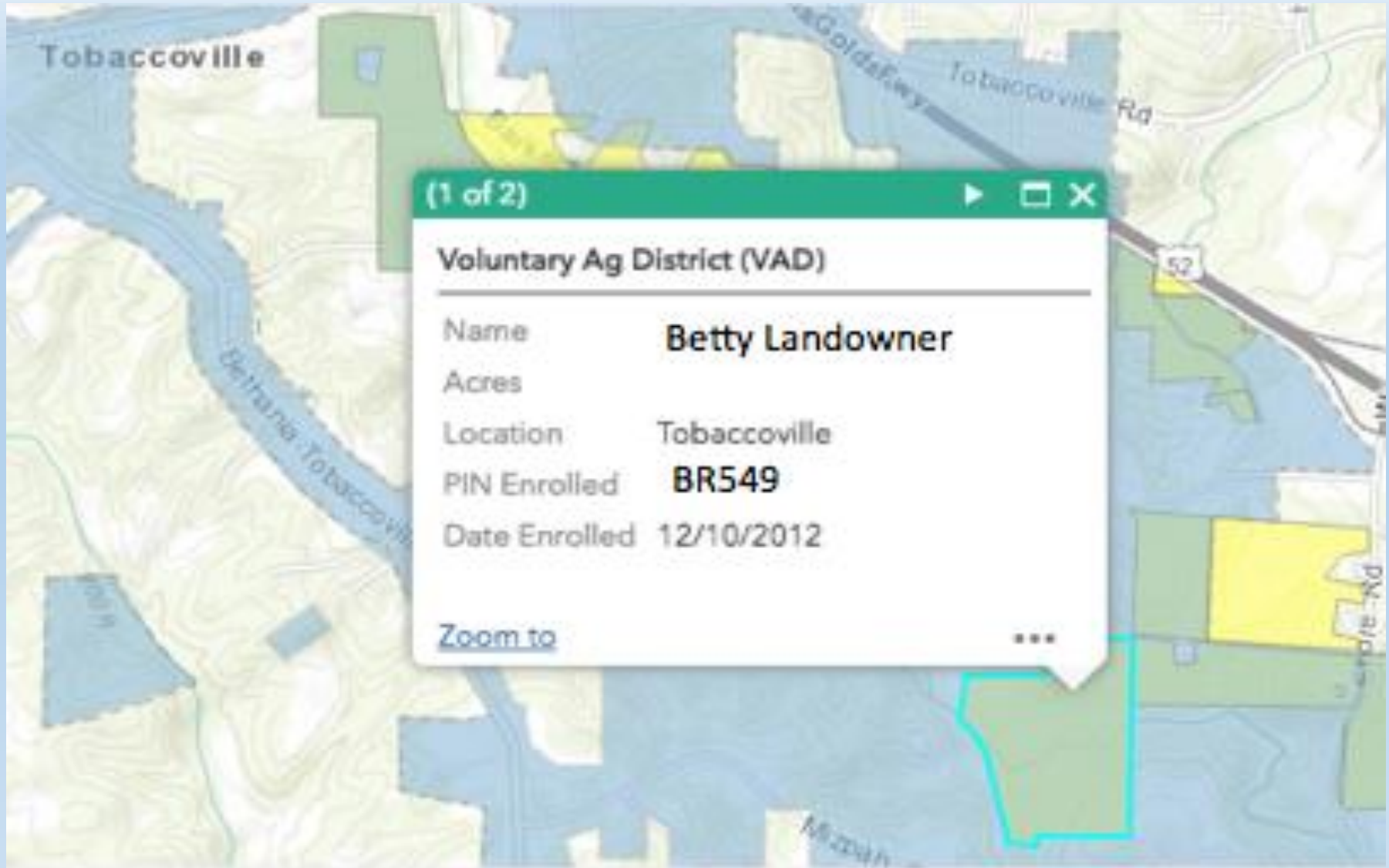


VAD enrolled land as of March, 2018 – Forsyth County, NC.



Rose Color area = VAD Buffer

VAD enrolled land as of March, 2018 – Tobaccoville, NC.



Blue Color area = Tobaccoville corporate limits (Yellow & Green = VAD enrolled tracts)

G. VAD board members that are county commissioners, FB, SWCD, etc. for networking. Establish term limits in your local ordinance. Forsyth Co. requires one AAB be a county commissioner and without a term limit.

Who excels in this arena?

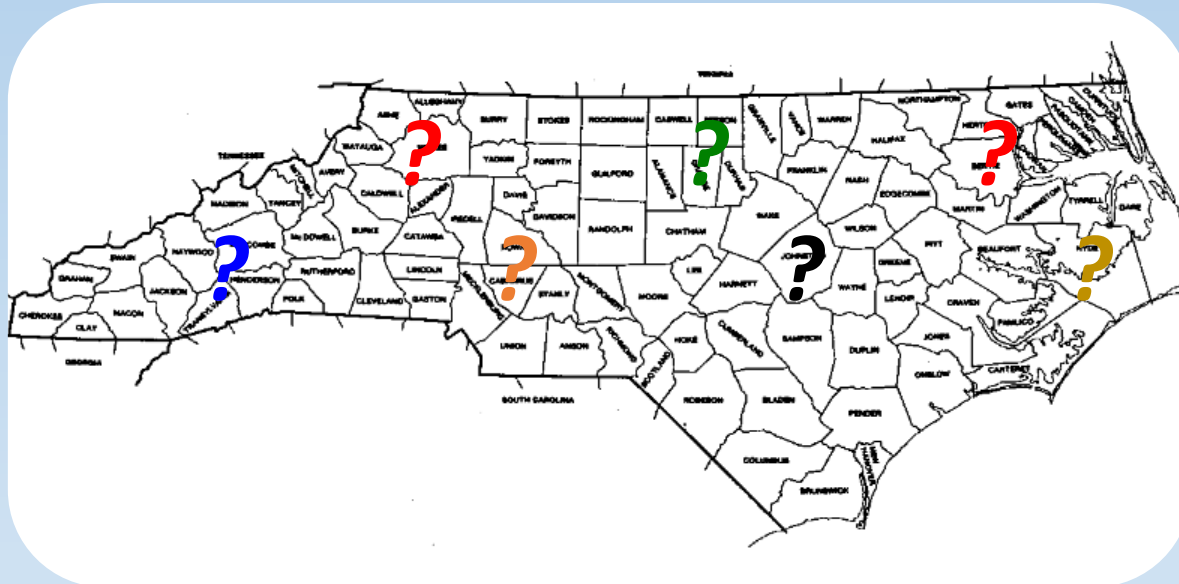
Forsyth County



H. Inform the county, give them an annual update! Brag on the VAD outside your meetings.

Publicize the VAD and it's accomplishments, give an annual report to the county commissioners, put an article in the newspaper, or do a newsletter (???). Get a AAB member to a county commissioner meeting to give an annual report. In articles, promote the board and the staff for their good work.

Who excels in this arena?

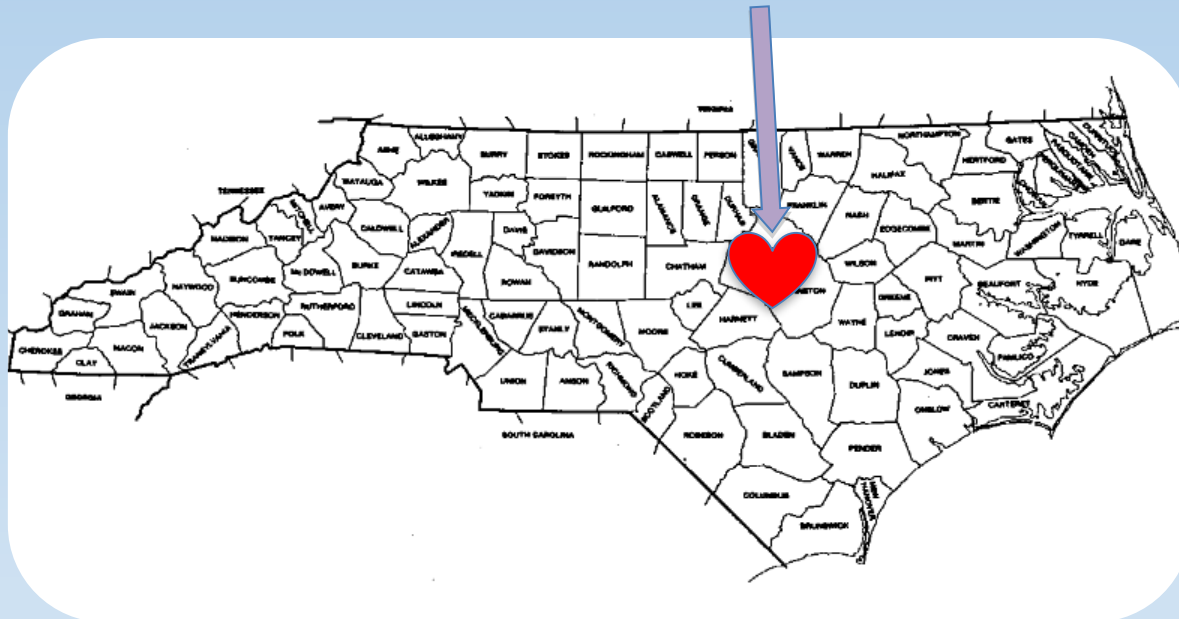


I. Come full circle with an Annual Event!

Hold an annual landowner education and recognition event in the evening of winter with a meal paid for by sponsors and a one hour program (speaker on VADs, give a VAD update, congratulate and thank the attendees, maybe give an award to one of them, have a speaker from other groups - interests (land trust, lawyer to talk about easements, estate planning, cost share programs, etc.) be prepared to do VAD sign-ups. Give each of the agencies and organizations a table and allow them time to talk to landowners about their programs.

Who excels in this arena?

Wake County





Important Notice for Wake County Farm and Forest Landowners

How do the latest changes in legislation and rules affect you and your land?

Register Now!

*7th Annual Keeping the Farm Workshop
for Wake County Landowners and Operators*

Topics include:

New cost share programs for your farm and forest, land use tax value,
legislative updates (ETJ, bona fide farm definition, etc.),

forestry rules, estate tax update

Question and Answer sessions with agency staff and more!

January 25, 2012

8:30 a.m. — 4:00 p.m.

Wake County Office Park - Commons Building
4011 Carya Drive, Raleigh, NC

To register call **919-250-1050** or email **keepfarm2012@gmail.com**

Lunch provided for citizens who register by January 23rd.

A free workshop provided by:

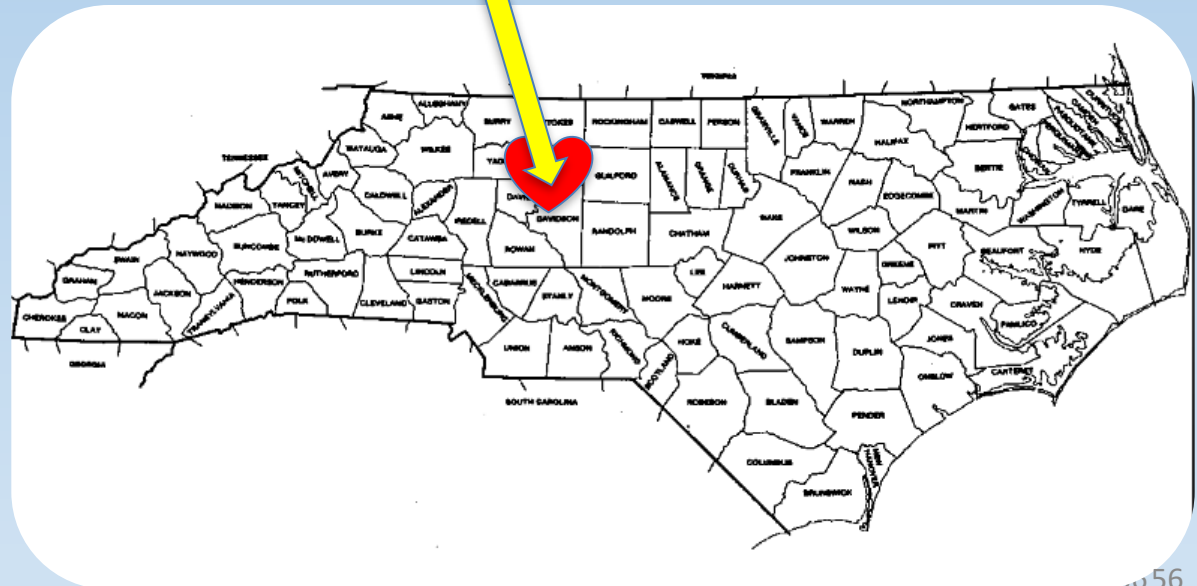


J. Are you promoting Incentives, or Dis-incentives?

Is there a fee to be enrolled in your county VAD (has FB and Farm Credit) been asked to sponsor the signs and posts and does your county put up VAD signs for landowners?

Who excels in this arena?

Forsyth County



Forsyth County VAD - - *web page*

<https://www.co.forsyth.nc.us/CES/Conservation/VAD.aspx>

Voluntary Agricultural District (VAD)

Forsyth.cc / Soil and Water Conservation



The State of North Carolina passed the Farmland Preservation Enabling Act in 1985, authorizing counties to establish farmland preservation programs, including agricultural districts. Forsyth County adopted an ordinance establishing procedures for creating Voluntary Agricultural Districts in 2008. The purpose of the ordinance is to promote the preservation of farmland in Forsyth County so that development and growth will be accompanied by protection of farms from non-farm development and other negative impacts on properly managed farms, recognizing the importance of agriculture to the economic and cultural life of the county.

Forsyth County's Voluntary Agricultural District Program enhances the identity of the agricultural community by encouraging the voluntary preservation and protection of farmland from non-farm development.

For more information visit the links below, contact us [by email](#) or call (336) 703-2850.

- [VAD Brochure](#)
- [VAD Policies](#)
- [VAD Application](#)
- [VAD Application Instructions](#)

Forsyth County VAD - - brochure

Why Have Agricultural Districts?

The State of North Carolina passed the Farmland Preservation Enabling Act in 1985, authorizing counties to establish farmland preservation programs, including agricultural districts. Forsyth County adopted an ordinance establishing procedures for creating Voluntary Agricultural Districts in 2008. The purpose of the ordinance is to promote the preservation of farmland in Forsyth County so that development and growth will be accompanied by protection of farms from non-farm development and other negative impacts on properly managed farms, recognizing the importance of agriculture to the economic and cultural life of the county.

What is the Agricultural Advisory Board?

The Agricultural Advisory Board (AAB) is composed of seven county residents, including farmers, appointed by the Board of County Commissioners. The AAB reviews and approves applications to the Voluntary Agricultural Districts program, in addition to advising the Board of County Commissioners on projects, programs, or issues affecting the agricultural economy or way of life within the county.

About the Agricultural Advisory Board.

The Agricultural Advisory Board supports voluntary measures and incentives that will lead to the continued viability of farming in Forsyth County. The goals of rural preservation, including the preservation of prime farmland, the scenic vistas of the agricultural landscape, the family farm tradition, and the economic viability of agriculture in Forsyth County, would be served by keeping agriculture a viable enterprise.



Forsyth County

NC Cooperative Extension Service &
Forsyth Soil & Water Conservation District
1450 Fairchild Road
Winston-Salem NC 27105

Phone: 336-703-2840
E-mail: bowmanml@forsyth.nc.gov

Forsyth County

VOLUNTARY AGRICULTURAL DISTRICT



For more information please call:
336-703-2840

Forsyth County VAD - - *application*



Forsyth County Voluntary Agricultural District Application for Participation APPLICANT INFORMATION

Name(s): _____
Address: _____

Phone: _____

PROPERTY INFORMATION

Tax Parcel Number (PIN)	Acres	USDA Tract Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Record additional tracts on the back.

Is the above property enrolled in the "Present Use Value Assessment Program" of the Forsyth County Tax Department?
_____ Yes _____ No

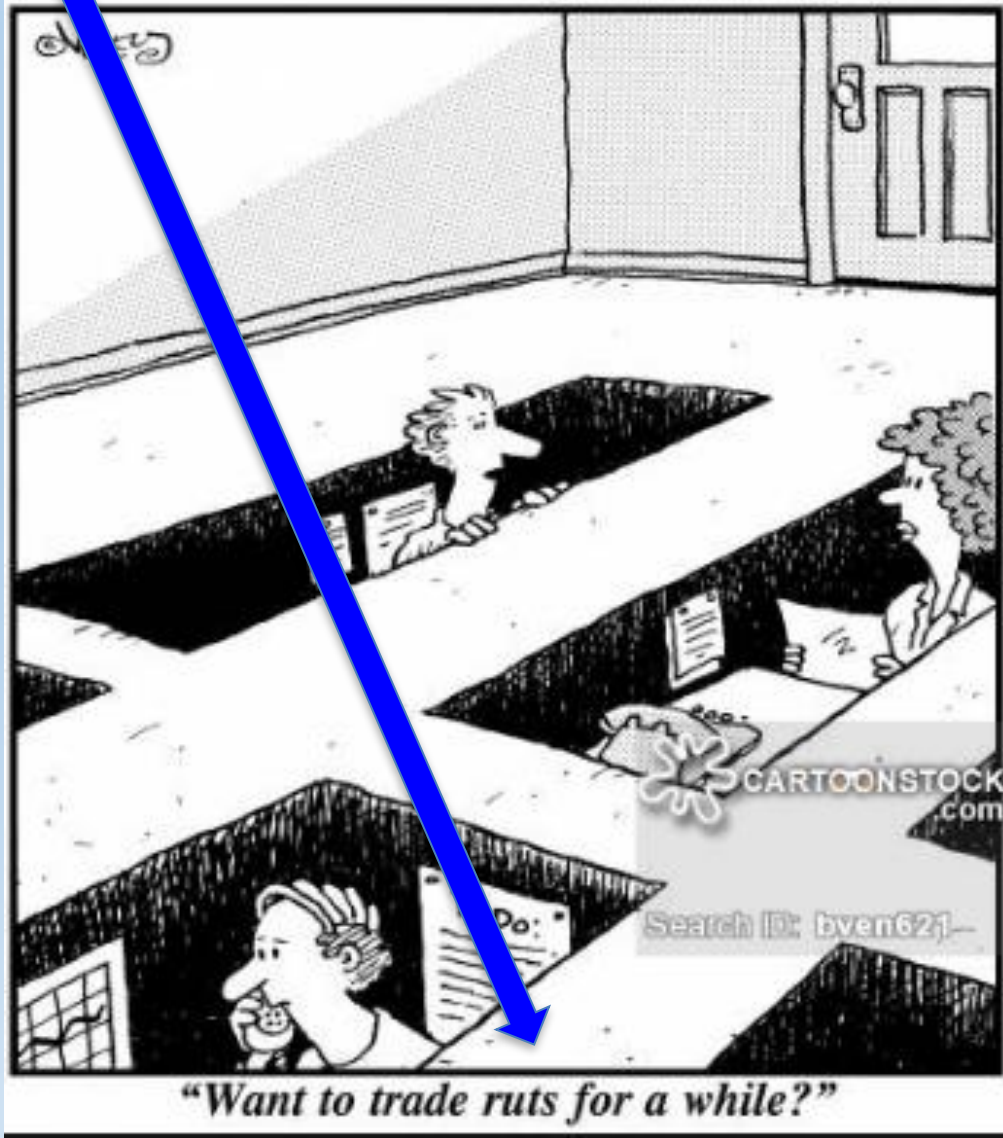
Has the property been actively engaged in horticulture, agriculture, or forestry related activities for the past 5 years?
_____ Yes _____ No

Owner(s) Certification: I, (We), the applicant(s), hereby certify that, to the best of my (our) knowledge, the foregoing application is complete and accurate. I, (We), also have read and agree to the attached "Policy Summary" of the Agricultural Advisory Board.

Signature of Owner(s): _____ Date: _____
_____ Date: _____

Mail or deliver to: Agricultural Advisory Board
1450 Fairchild Road, Room 11
Winston-Salem, NC 27105

Is your VAD this or this???



An exciting and accomplished VAD is *sustainable*:

1. The best board members
2. Challenge your board
3. Create Crisis
4. Worth while AAB meeting
5. Promote Participation
6. Orderly Files
7. Keep the county informed
8. Come Full Circle Each Year

Follow your local guidelines, maintain your standards!





The end!

Thank you!

Gerald Dorsett,
Forsyth County Soil & Water Conservation District, NC
Spring, 2018

phone 336.703.2843

email: dorsetgd@forsyth.cc

Break



Review of State Law Requirements and Local Government
Discretion

LEGAL ISSUES IN VAD AND EVAD

MINIMUM ACREAGE

Counties have differing goals

- Some want to protect urban farms
- Some more focused on larger ag areas

Counties and municipalities have discretion to set their own minimum acreage. No longer tied to Present Use-Value

RECORD NOTICE

- ✗ Could be stand-alone ordinance
- ✗ Property within 600 feet of any ag operation
- ✗ Property within 1/2 mile of :
 - + Poultry or swine operation
 - + Ag District

Where may county exercise discretion?

ENFORCEMENT OF CONSERVATION AGREEMENT

- ✗ VAD – What is there to enforce?
- ✗ EVAD – Irrevocable for 10 years
 - + Who monitors and enforces?
 - + Where does the money for enforcement come from?
 - + Injunction, Penalty, Recoupment of Benefits
 - + What specific enforcement rights do counties have?

AG ADVISORY BOARD

- ✕ State Law Requirements
 - + VAD statute
 - + Other state requirements

REPRESENTATION ON AG ADVISORY BOARD

- ✘ State law requires “that each (such) district have a representative on the agricultural advisory board.”
- ✘ How many counties know which district their board members represent?

HEARINGS ON CONDEMNATION

- ✖ Not Applicable to Private Condemnors
- ✖ 30-Day Timeframe
- ✖ Notice
- ✖ Open Meetings Law
- ✖ Specific Issues to be Discussed

REMOVING LAND FROM VAD

- ✗ Voluntarily
 - + Removing part of a farm
- ✗ Involuntarily
 - + Appeal Rights

Removal of notations in Register of Deeds/Tax Office

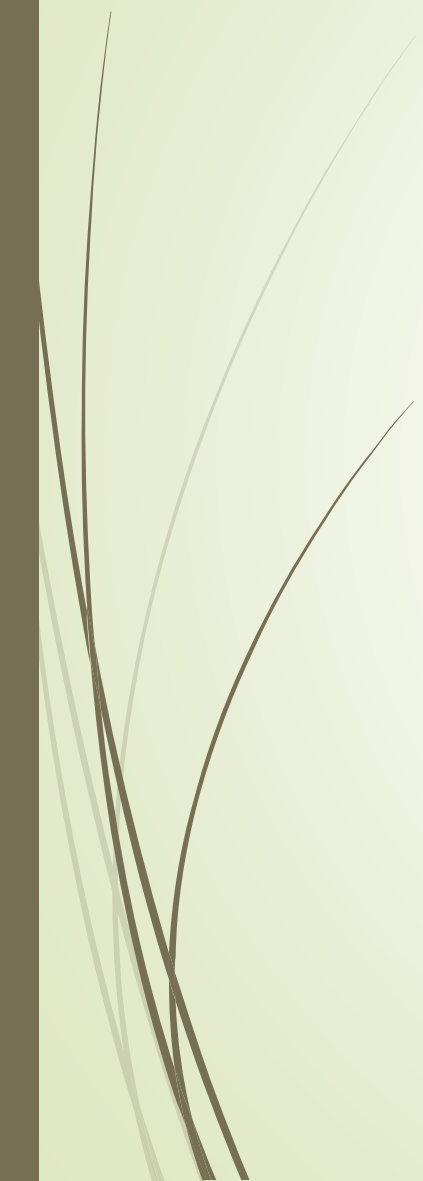



What is a bona fide farm?

And why does it matter?



Bona fide farm purposes (from § 153A-340)

- 
- ▶ production and activities relating or incidental to the production of:
 - ▶ Crops
 - ▶ Grains
 - ▶ Fruits
 - ▶ Vegetables
 - ▶ Ornamental and flowering plants
 - ▶ Dairy, livestock, poultry
 - ▶ and all other forms of agriculture, as defined in **G.S. 106-581.1**



§ 106-581.1. Agriculture defined.

- "agriculture", "agricultural", and "farming" refer to all of the following:
 - (1) The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
 - (2) The planting and production of trees and timber.
 - (3) Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing.
 - (4) Aquaculture as defined in G.S. 106-758.

§ 106-581.1., continued...

- (5) The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
- (6) **When performed on the farm**, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, **agritourism**, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on a farm, and similar activities incident to the operation of a farm.
- (7) A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain.



§ 153A-340 continued...

- **"when performed on the farm"** in G.S. 106-581.1(6) shall include the farm within the jurisdiction of the county and any other farm owned or leased to or from others by the bona fide farm operator, no matter where located.
- the production of a **nonfarm product** that:
 - the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product
 - is produced on a farm subject to a conservation agreement under G.S. 106-743.2 is a bona fide farm purpose.
 - Examples:



§ 153A-340 continued...

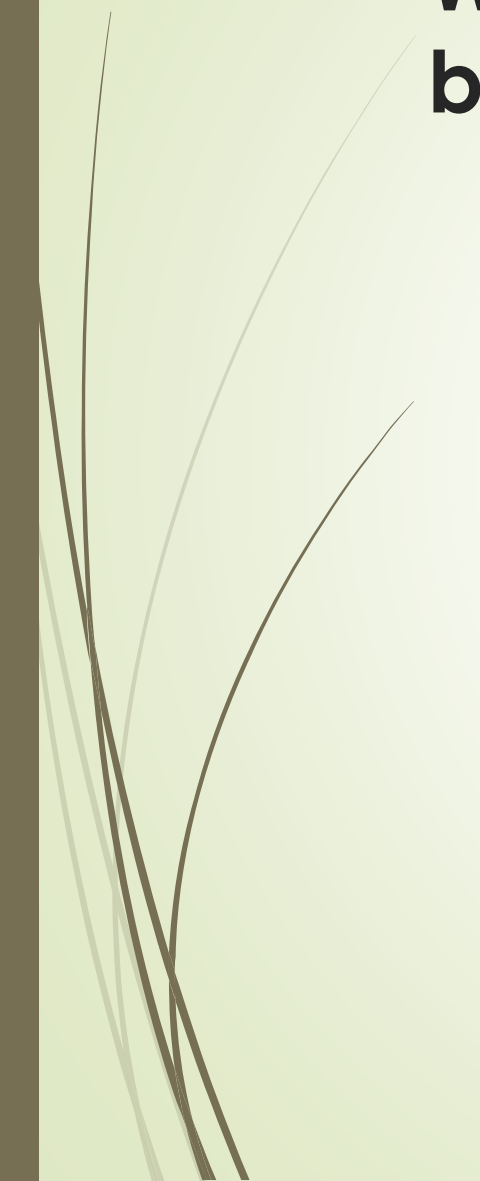
Sufficient evidence

- sufficient evidence that the property is being used for bona fide farm purposes:
 - a. A farm sales tax exemption certificate issued by the Department of Revenue.
 - b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S. 105-277.3.
 - c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
 - d. A forest management plan.



§ 153A-340 continued...

What about an agritourism building?

- ▶ Yes, if it is on a property owned by a person who:
 - ▶ holds a qualifying farmer sales tax exemption certificate from the Department of Revenue **or**
 - ▶ is enrolled in the present-use value program
- 



§ 153A-340 continued...

What is an agritourism building?

- used for public or private events, including, but not limited to:
 - Weddings
 - Receptions
 - Meetings
 - Demonstrations of farm activities
 - Meals
 - Other events that are taking place on the farm **because of its farm or rural setting.**



§ 153A-340 continued...

What is agritourism?

- "agritourism" means:
 - any activity carried out on a farm or ranch that:
 - allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including:
 - farming, ranching, historic, cultural, harvest-your-own activities, or natural activities and attractions.



Why is bona fide farm use important?

County Zoning...

- County Zoning regulations do not affect property used for bona fide farm purposes (§ 153A-340)
- However, the use of farm property for nonfarm purposes is still subject to zoning (§ 153A-340)



Why is bona fide farm use important?

City/Town Zoning...

- ▶ Property that is located in the geographic area of a municipality's extraterritorial jurisdiction and that is used for bona fide farm purposes is exempt from exercise of the municipality's extraterritorial jurisdiction § 160A-360(k)
- ▶ Property that is being used for bona fide farm purposes on the date of the resolution of intent to consider annexation may not be annexed without the written consent of the owner or owners of the property. § 160A-58.54(c)



Why is bona fide farm use important?

The Building Code...

- Certain farm buildings are exempt from the Building Code.
- North Carolina State Building Code: a "farm building" means any nonresidential building or structure that is used for a bona fide farm purpose as provided in G.S. 153A-340.



Why is bona fide farm use important?

Ag Cost Share...

- Must be a bona fide farm under G.S. 153A-340(b)(2) to be eligible for Agricultural Cost Share Program under G.S. 106-850(b)(10).
- 



Why is bona fide farm use important?

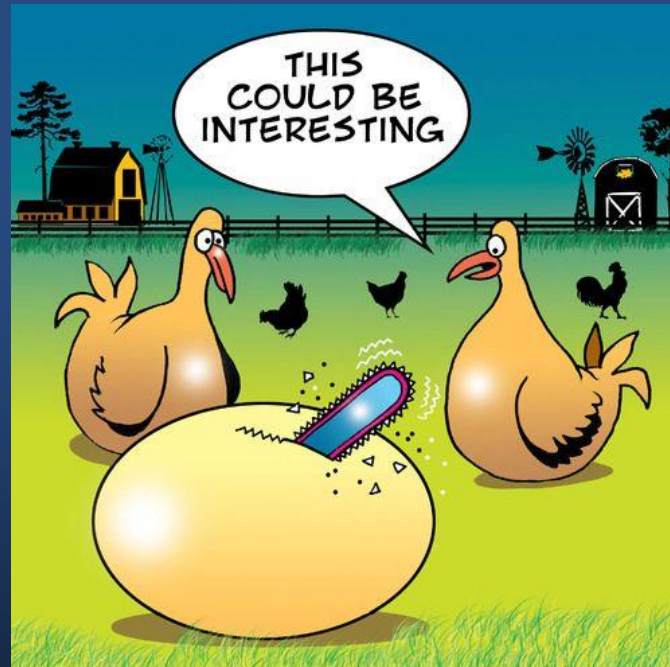
VAD and EVAD...

- Although being “bona fide” is not required for VAD and EVAD, bona fide farms certainly qualify, and so receive the following benefits:
 - Public hearings on condemnation of farmland
 - Record notice of proximity to farmland
 - Waiver of water and sewer assessments.
 - If in an EVAD conservation agreement, may receive up to twenty-five percent (25%) of gross sales from the sale of nonfarm products and still qualify as a bona fide farm that is exempt from zoning regulations (EVAD only).
 - If in an EVAD conservation agreement, eligible under G.S. 106-850(b) to receive the higher percentage (90%) of cost-share funds for the benefit of that farmland under the Agriculture Cost Share Program (EVAD only).

Lunch



Utilization of Geographic Information Systems (GIS) to Map Voluntary Agriculture Districts

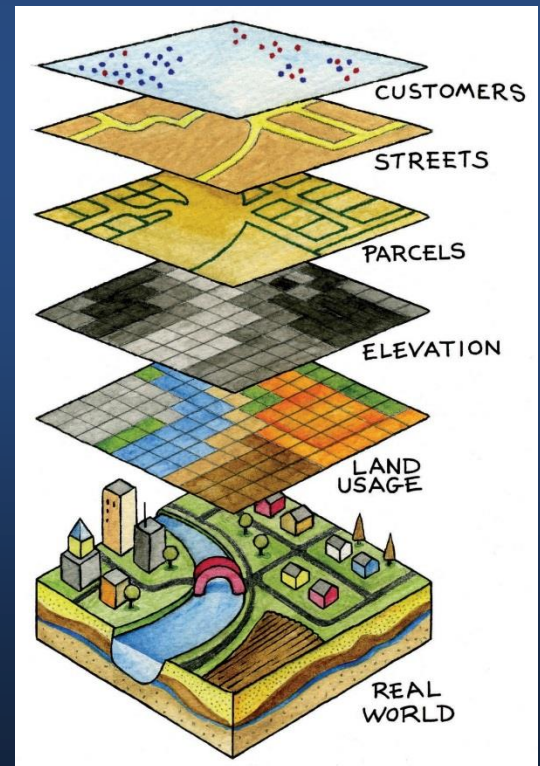


Daniel Madding
GIS Manager

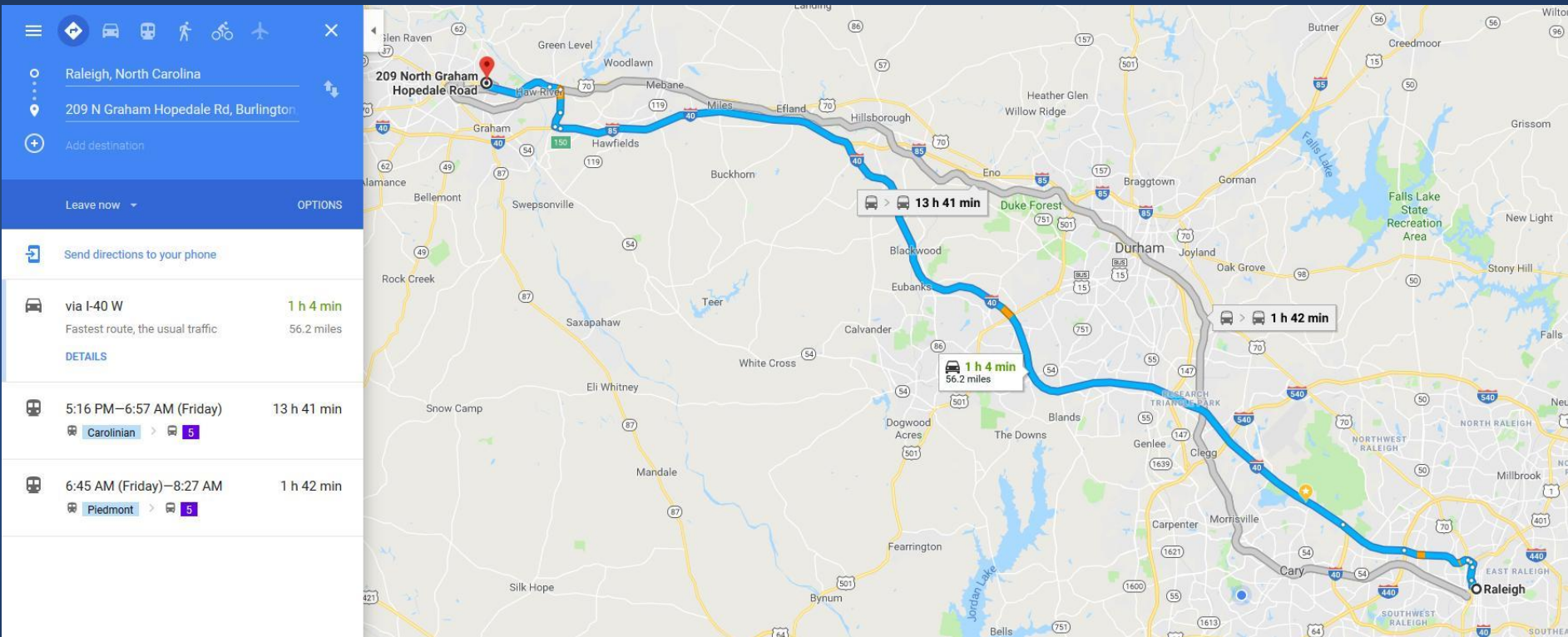
What is GIS

Geographic Information Systems (GIS)

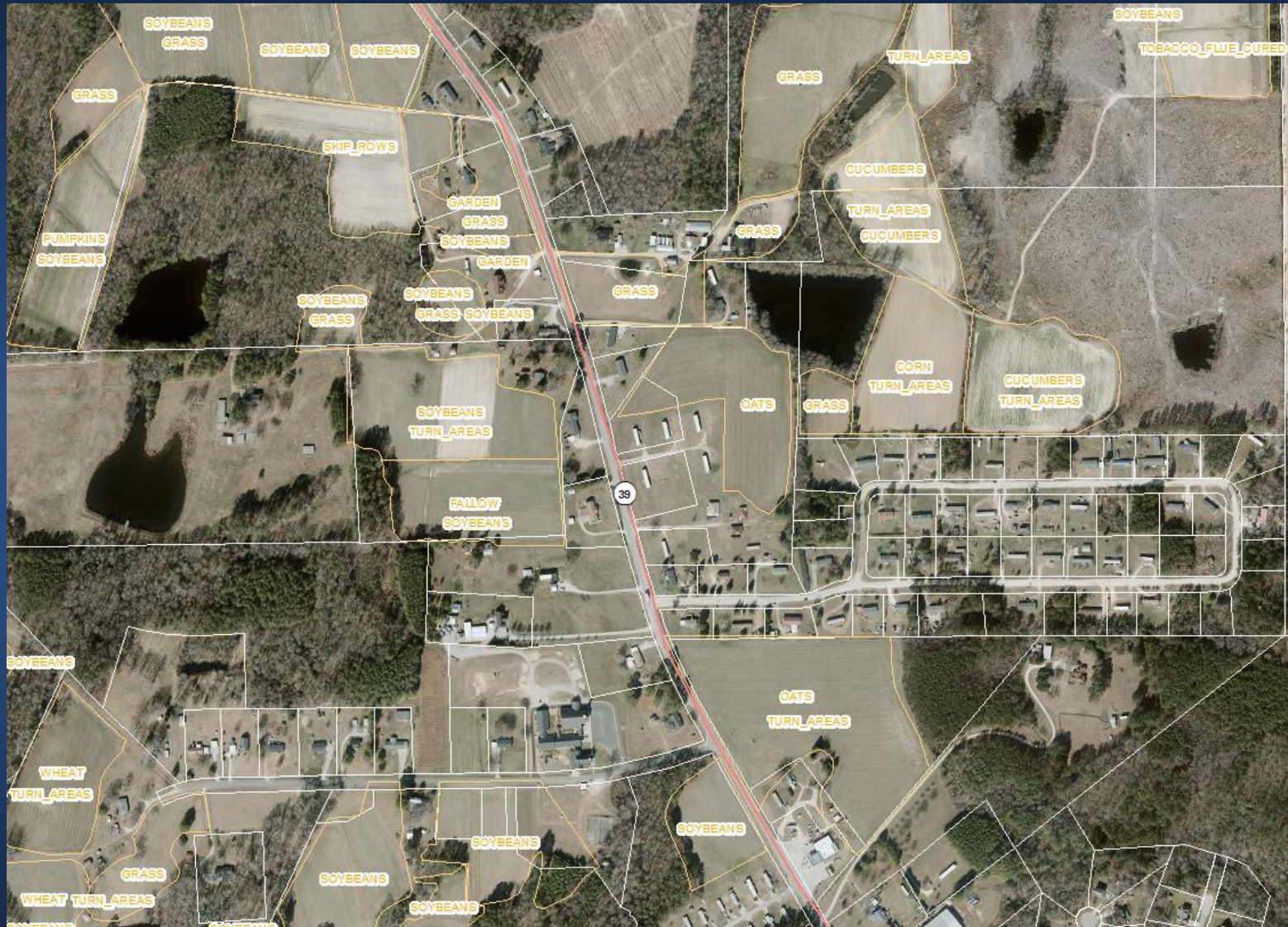
- Is computer software that enable users to capture, store, analyze and manage data spatially.



Google Maps is GIS

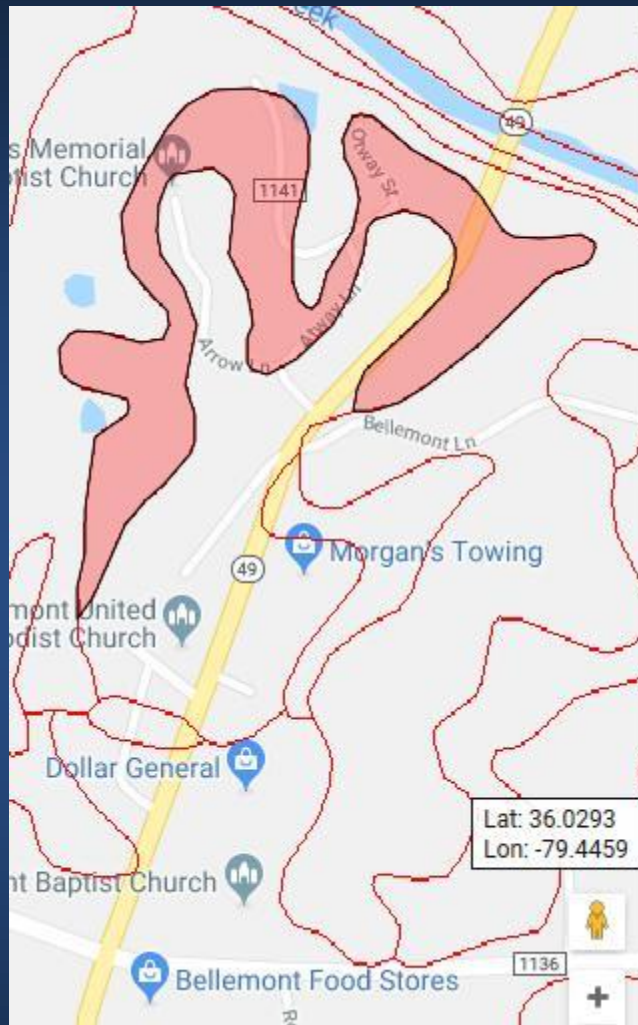


Using GIS we can..



In under a minute, tell who owns any parcel of land in NC. FSA

Realist Yields Expectation – GIS Example



Realistic Yields for EeC2: Enon loam, 6 to 10 percent eroded (Wynott) in Albemarle County			
Crop	Yield	Nitrogen Factor	Realistic Nitrogen Rate (lbs/acre)
Bahiagrass (Hay)	3	43	129
Barley (Grain)	65 Bushels	1.47	95
Caucasion/Old World Bluestem (Hay)	3.2	43	138
Common Bermudagrass (Hay)	3	43	129
Corn (Grain)	120	0.9	108
Corn (Silage)	18.4 Tons	10.7	197
Cotton	560 Pounds	0.073	41
Dallisgrass (Hay)	3	43	129
Fescue (Hay)	4	43	172
Hybrid Bermudagrass (Hay)	4	43	172
Hybrid Bermudagrass overseeded with	0	43	0

<http://www.ncmhtd.com/rye/>

TEAM GIS Example



The screenshot displays the TEAM GIS web application interface. On the left is a dark blue sidebar with navigation options: Location Search (with a search bar containing 'jacksonville, Nc'), Table of Contents (with expandable sections for Reference, Parcels, Environmental Considerations, Historic Preservation Data, and Military Considerations), and a Disclaimer. The main area features a map with yellow parcel boundaries and a red rectangular selection. A 'Parcel Data' pop-up window is open on the right, showing a table of conservation status results for the selected parcel. The table includes categories like NC Natural Heritage Managed Areas, Streams, Targeted Local Watersheds for Mitigation, NC Historic Points of Interest, Agricultural Land, NWI Wetlands, Soils (Hydric Rating), and NC Natural Heritage Natural Areas, each with a corresponding 'NO' or 'YES' status in a colored box. A 'Generate Report' button is located above the table. The map also includes a zoom control in the top left and a 'Zoom to' button at the bottom of the pop-up window.

TEAM -- Tool for Environmental, Agricultural and Military reporting

Location Search
jacksonville, Nc

Table of Contents

- Reference
- ☒ Parcels
- Environmental Considerations
- Historic Preservation Data
- Military Considerations

* Zoom-in to make layers demoted in grey available

Disclaimer

Parcel Data

Parcel Info MPA CPA

Generate Report

Conservation Partnership Areas

NC Natural Heritage Managed Areas:	NO
Streams:	NO
Targeted Local Watersheds for Mitigation:	YES
NC Historic Points of Interest:	NO
Agricultural Land:	NO
NWI Wetlands:	YES
Soils (Hydric Rating):	YES
NC Natural Heritage Natural Areas:	NO

Zoom to

Designed to help land owners find potential conservation funding sources.

Conservation Easements – GIS Example

<https://www.ncmhtd.com/environmentalprograms/adfpt/>

NCDA&CS ADFP Trust Fund Easement Viewer

Search

mil

×

🔍

Table of Contents

Reference

☒ ADFPT Easements ⓘ

☐ Parcels ⓘ

☒ County Boundary ⓘ

Environmental >

* Zoom-in to make layers demoted in grey available

Disclaimer >

+

−

1177

ADFPT Easement

Nutter Family Farm

Triangle Land Conservancy

Orange

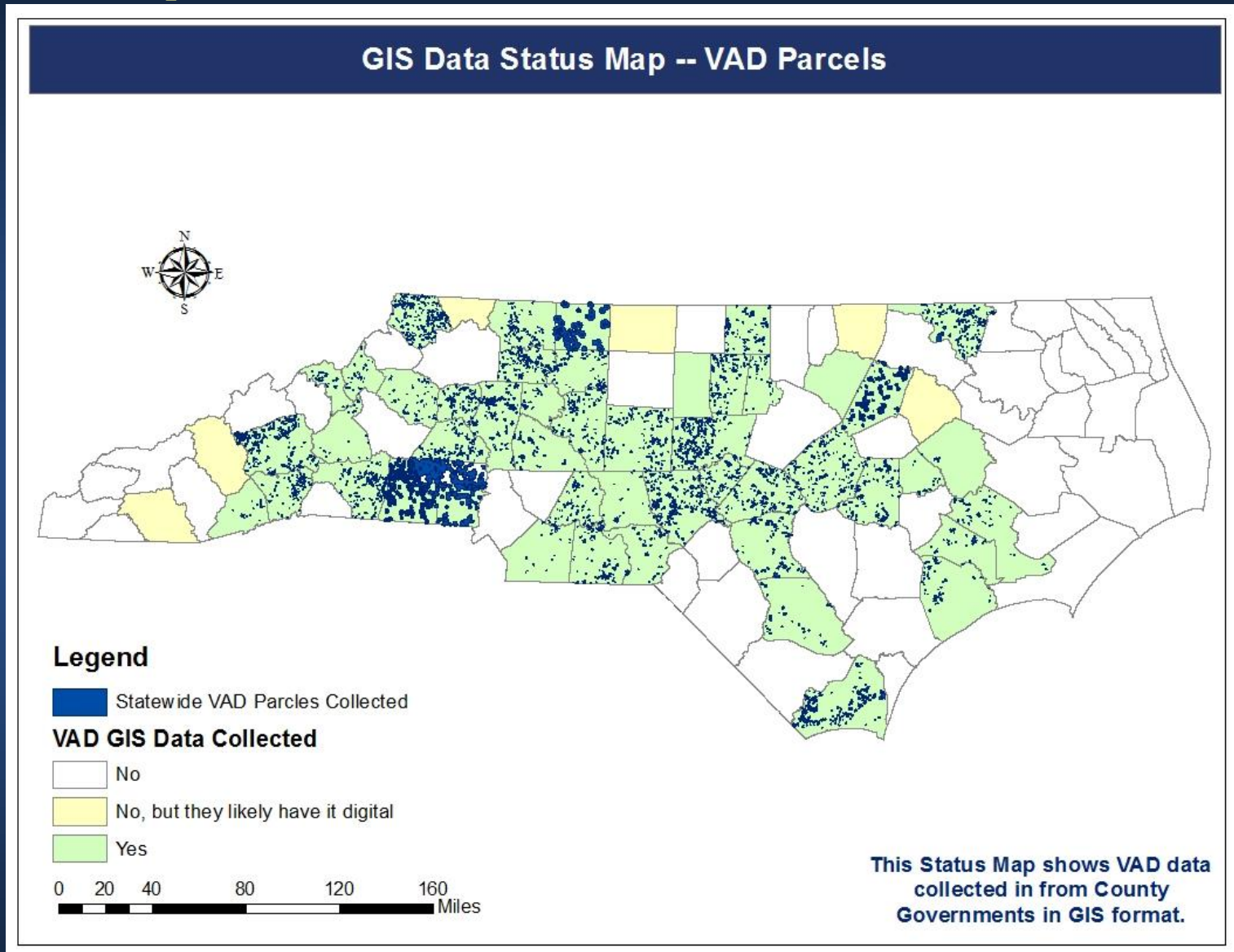
SPO File No: FARM-068.001

Easement Acreage: 81.34

Get Directions

Zoom to

Map of VAD data in a GIS format



We have VAD data, in a GIS format, for over 50 counties

Where are you with mapping your VAD

◆ 1980s?



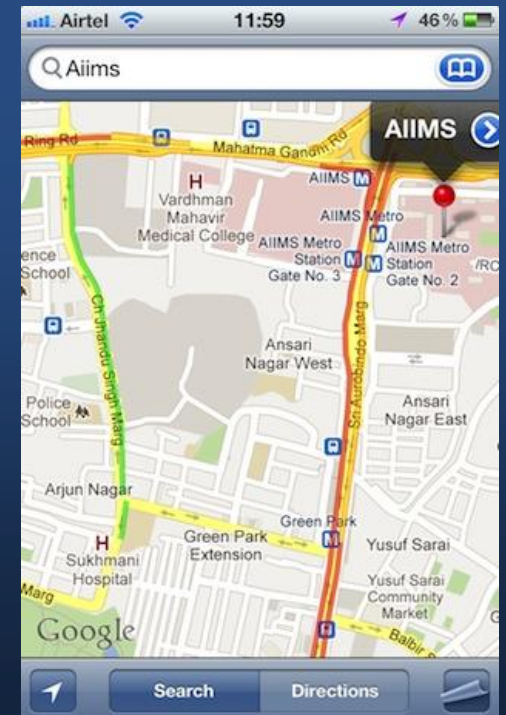
◆ 1990s?



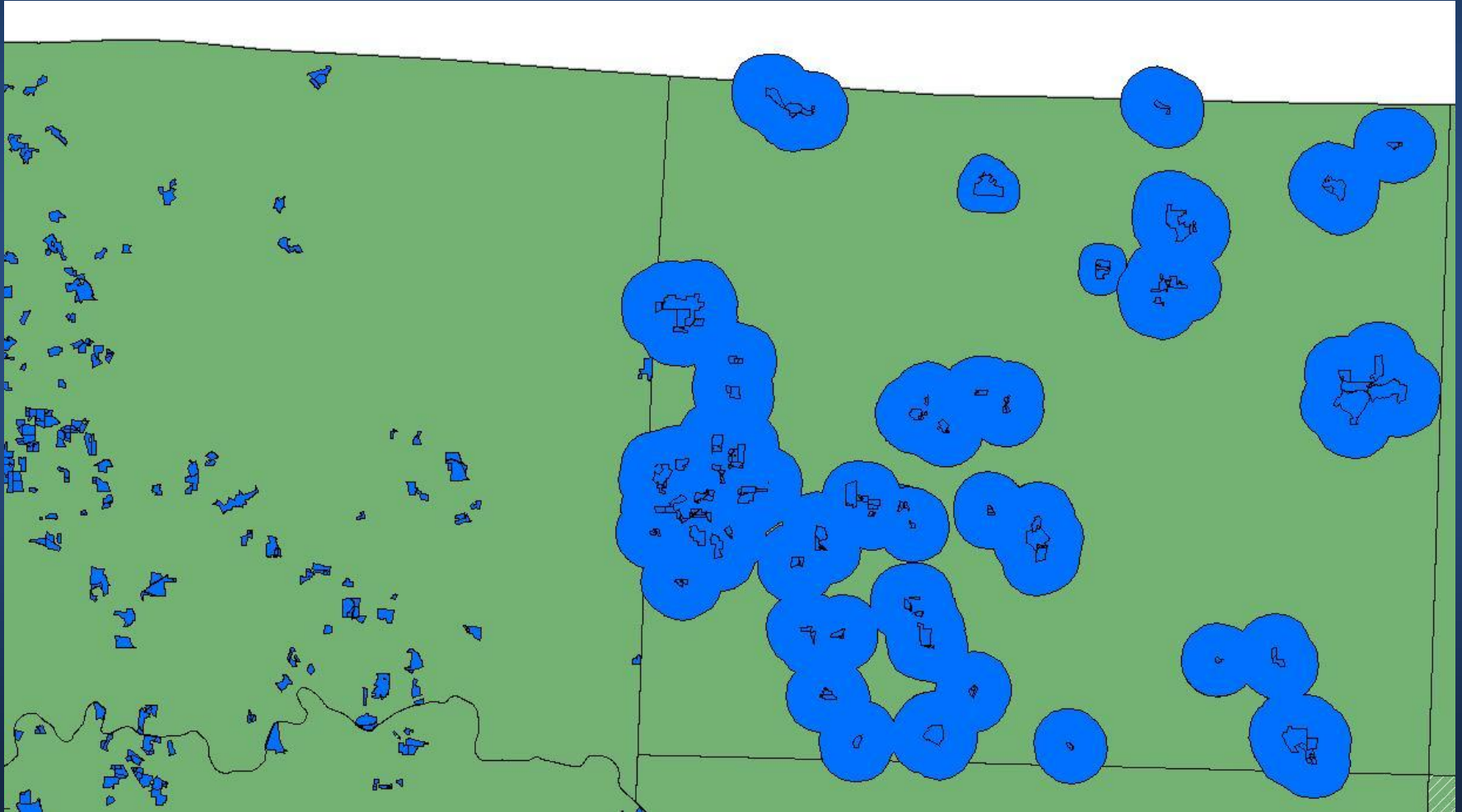
◆ 2000s



◆ Modern?



Parcels in VAD programs vs. Districts



Minimum Information to store in your VAD dataset

- ☒ PIN
- ☒ PARCEL_ID_
- ☒ NAME_
- ☒ ADDR_
- ☒ CITY_
- ☒ ZIPCD_
- ☒ COUNTY_
- ☒ ACRES_
- ☒ DATE_ENROL
- ☒ DATE_RENEW
- ☒ DATA_DATE

Owner names

Mailing Address (Street, City, St, Zip)

County – GIS can add

Acres – GIS can only add GIS Acres

Date Enrolled

Date Renewed – If applicable

Statewide_VAD_2015

PIN	PARCEL_ID_	NAME_	ADDR_	CITY_	ZIPCD_	COUNTY_	ACRES_	DATE_ENROL	DATE_RENEW	DATA_DATE
591900954702		JOHNSON FAMILY FARM LLC	LOUISE AV			Surry	0	<Null>	<Null>	2014
409002958921		JOHNSON FAMILY FARM LLC	OLD LOWGAP S RD			Surry	0	<Null>	<Null>	2014

0 (0 out of 12560 Selected)

Attributes (data) for the overachievers

- ◆ Applicant
- ◆ Determinant (Approved)
- ◆ Agreement ID (to tie back to other data)
- ◆ Application Data
- ◆ Historically Enrolled (Do you want in-actives)
- ◆ EVAD – (Yes No)

PINS vs. Tax IDs

Parcel Indentation Numbers or “PIN”

Do NOT have letters. Normally 10-16 numbers.

Full PINs are unique statewide

- ◆ 00-4410-10-8811-55 — True format, not common
- ◆ 4410-10-8811 — more common
- ◆ 4410.10-8811

Tax ID are from a tax system and can have letters.

- ◆ T012-12_A99
- ◆ 0123456

What we can do to help

More than happy to help you make GIS data for your VAD parcels.

Your County GIS staff or Land Records staff is also a good resource
– Just ask, but don't ask them to go thorough a file cabinet

If you have an accurate, electronic list of PINs for your VAD parcels,
-- Making a GIS layer is around 15 minutes of work



Questions?

Warning,
If there are no questions,
I ask questions

Daniel.Madding@ncagr.gov



How do Voluntary Agricultural Districts Fit in With Land Use and Transportation Planning Processes

Diane Wilson

NCDOT – Environmental Analysis Unit

Land Use and Transportation Plans

25 year planning horizons

Three Questions:

Land use: what/where/when

Transportation: what/where/when

Three Simple Questions.....

Land use: what/where/when

What do we want

Where do we want it

When can we expect it

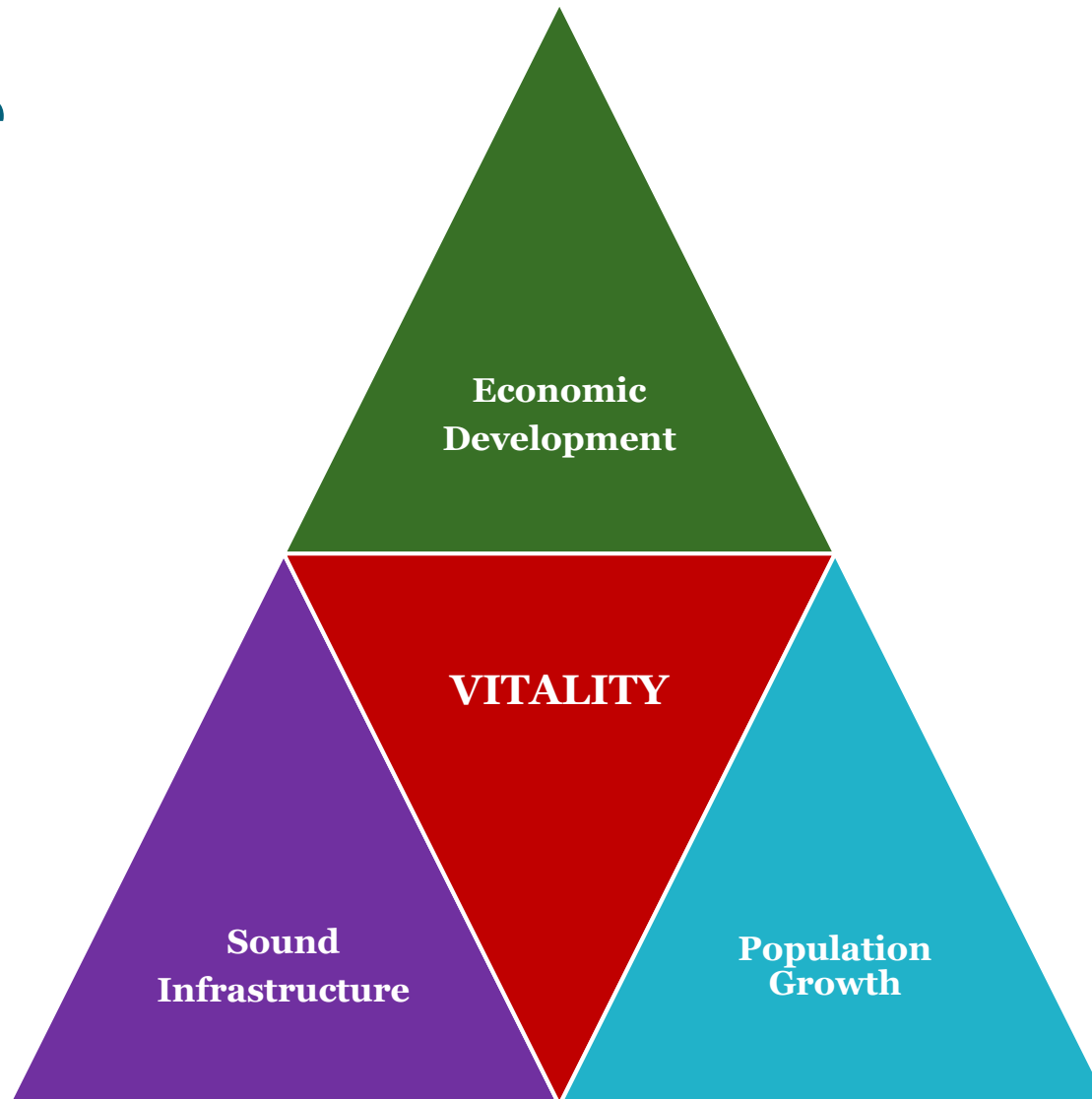
Transportation: what/where/when

What do we think they need

Where is the best location for it

When do we need to complete it

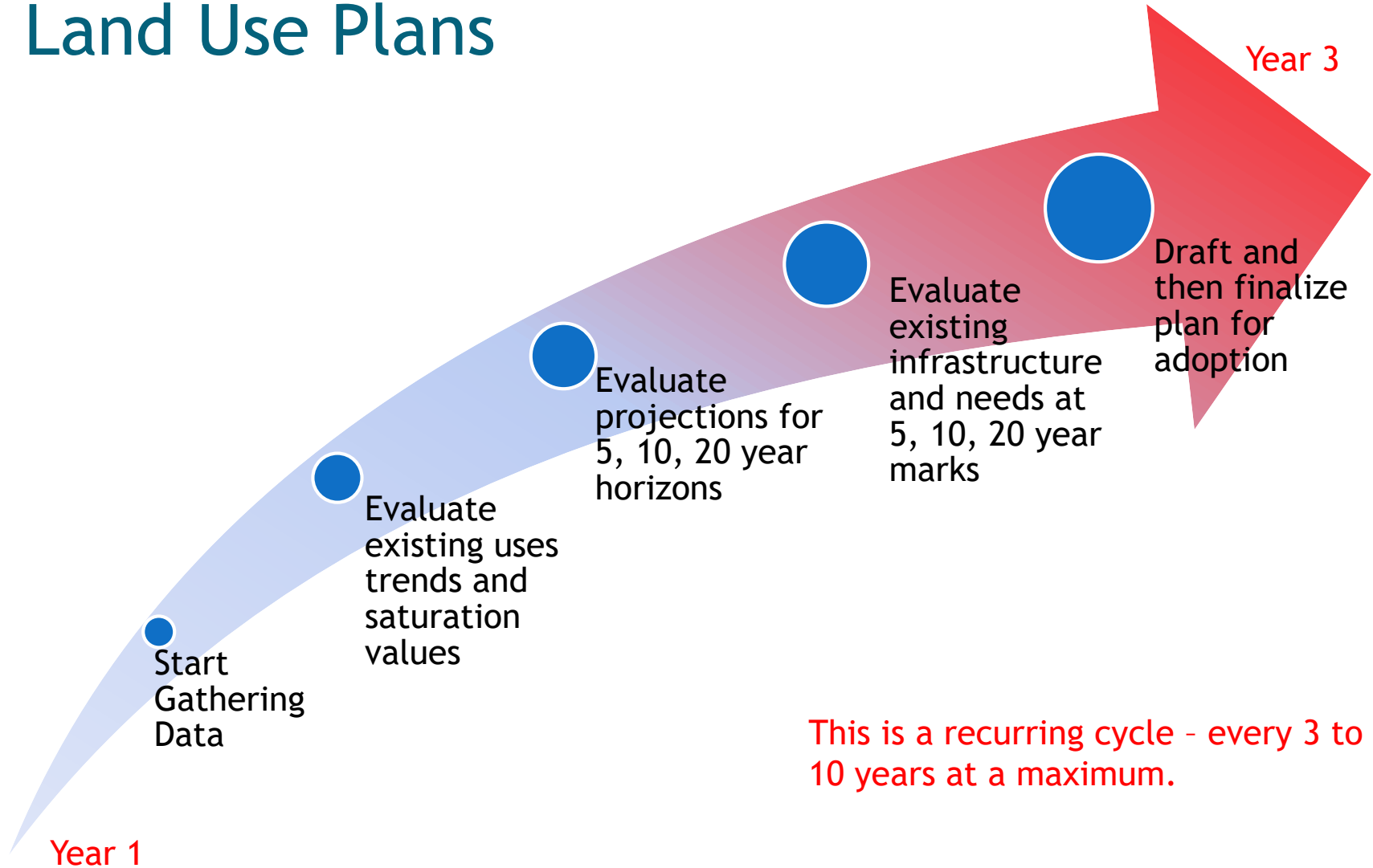
Land Use



Transportation



Land Use Plans



Who Develops Land Use Plans?

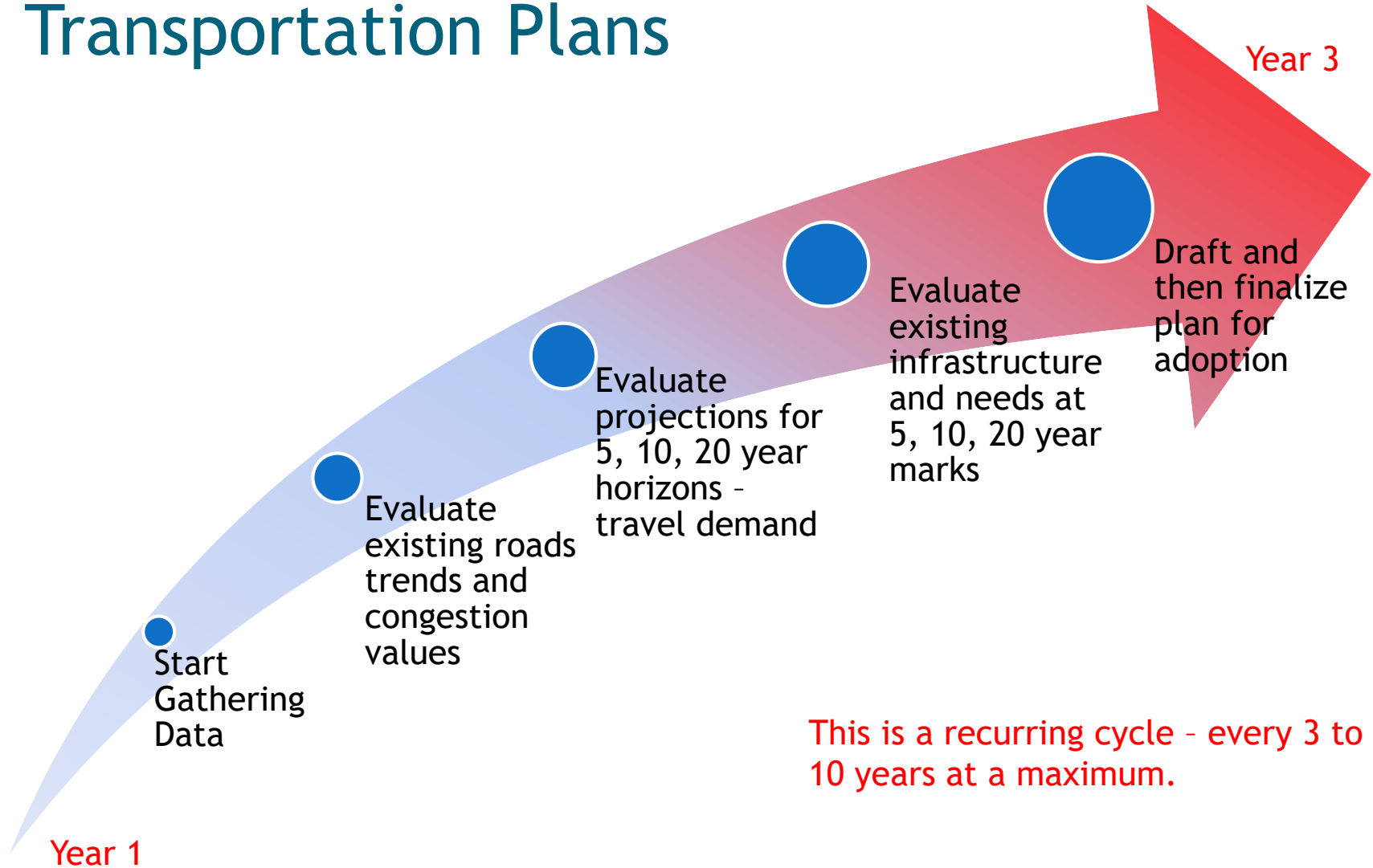
Cities and Counties

County plans - VADs and EVADs

Know their website and know their numbers

**AS SOON AS VAD/EVAD PAPERWORK FILED
CONTACT COUNTY PLANNING AND SUBMIT COPY
INCLUDING PARCEL MAP**

Transportation Plans



Who Develops Transportation Plans?

Cities and Counties
(3-10 year plans)

Metropolitan Planning Organizations
Rural Planning Organizations
(10-50 year plans)

NCDOT
(10 year plan)

Know their website post their schedule
and attend long range planning meetings in your area

Do I need to attend every meeting?

NO

You do need to attend or *at least participate*

MPO/RPO Comprehensive Transportation Plan

- Plans for future transportation needs based on the best available information (50 year / 25 year / 10 year)
- Every 4 years with updates in between

At the CTP meetings, lines are “placed on the map” not based on \$ but based on information provided by City/County planners and future land development and traffic projections

Second Chance

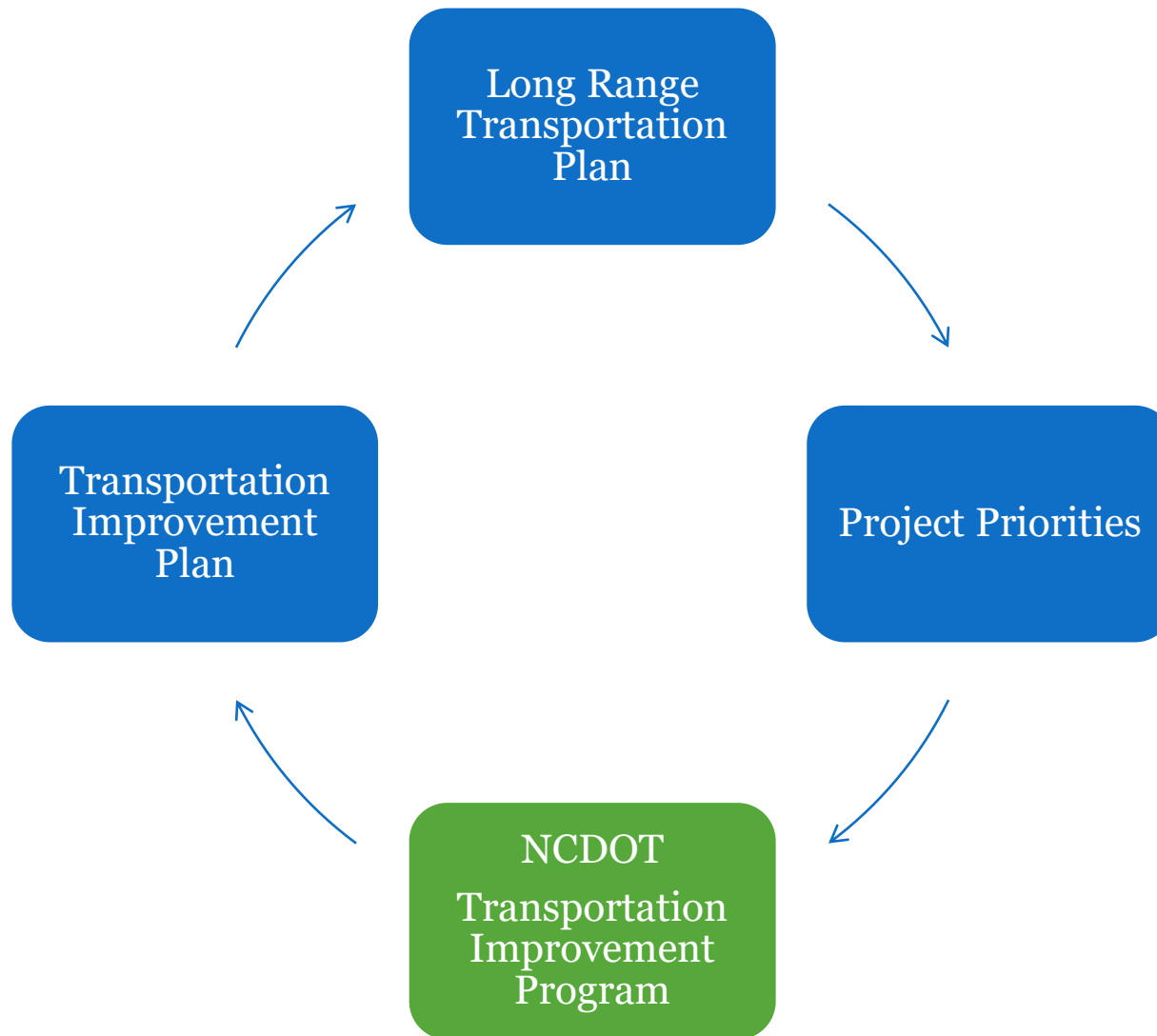
- Long-Range Transportation Plan (25 year)
(also called Metropolitan Transportation Plan)
 - Plans for future transportation needs
 - based on the best available information including, but not limited to, population, economic conditions, traffic trends and patterns of land development in the county.
 - Fiscally constrained - what can we pay for in the next 25 years

At the CTP meetings, lines are “placed on the map” based on information provided by City/County planners and future land development and traffic projections

If they don't know you're there.....
..... they can't plan to miss you.....

Project Priorities

- Projects drawn from Long Range Transportation Plan
- Based on project selection criteria
- FDOT considers the priorities when developing the work program



Transportation Improvement Program (STIP)

- Project Development and Environmental Analysis
- Design
- Right of Way / Land Acquisition
- Construction

State Transportation Improvement Program

- Staged, multi-year, intermodal program of prioritized transportation initiatives
 - Five-year program, updated annually
 - Reflects public and stakeholder involvement
- **If a project is not listed in the STIP, it cannot receive Federal funds**

Typical Progression of Project Phases

- Project Development and Environmental (PD&E)
 - Years 0-2
- Design
 - Years 2-4
- Right of Way / Land Acquisition
 - Years 4-6
- Construction
 - Years 6-8

THE Most Important Things

Know who does your local planning

- City
- County
- Planning Organization
- State

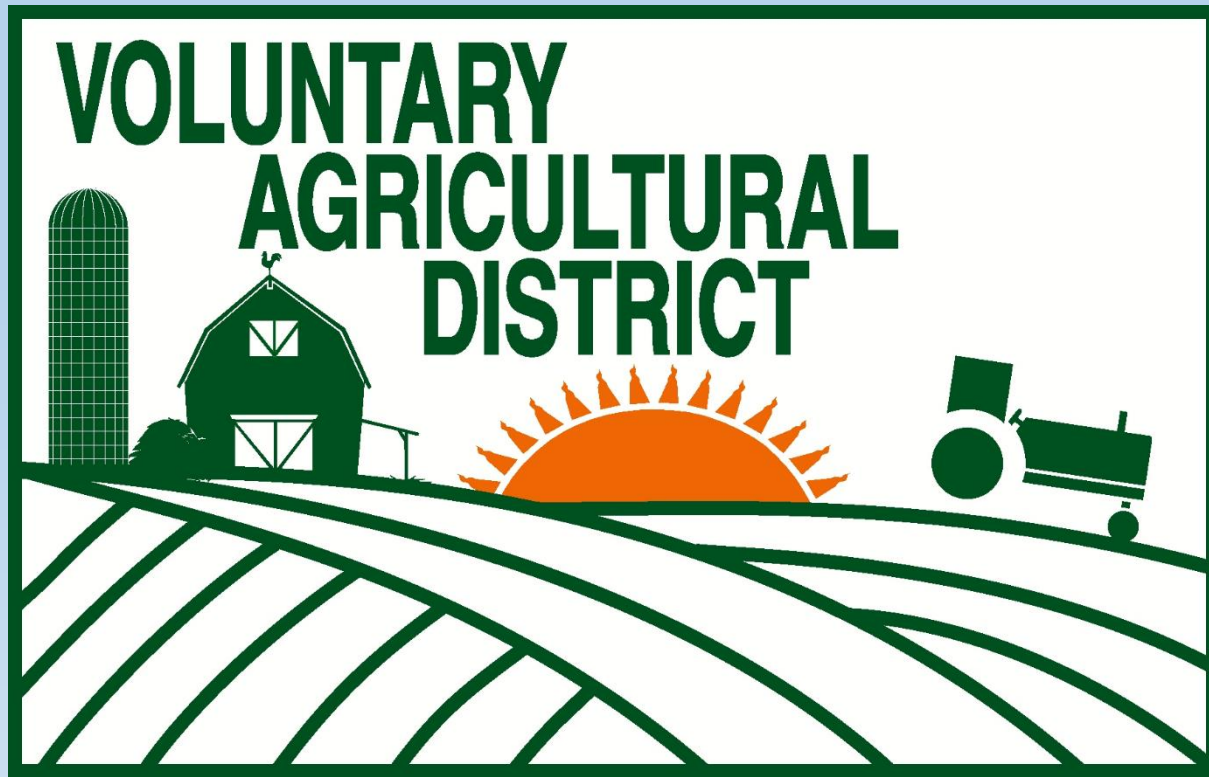
Know who to call

Watch for meetings in your area

Be Proactive!

LET THEM KNOW YOU ARE THERE.....

Other Conservation Programs for Landowners



NC Soil & Water Conservation Cost Share Programs

- ▶ Agriculture Cost Share Program (ACSP)
- ▶ Conservation Reserve Enhancement Program (CREP)
- ▶ Community Conservation Assistance Program (CCAP)
- ▶ Agricultural Water Resources Assistance Program (AgWRAP)



Program Implementation

Locally Led Conservation

- ▶ Delivered through 96 local soil & water conservation districts (SWCDs)
- ▶ NC Soil & Water Conservation Commission
 - ▶ Sets statewide rules and policies
 - ▶ Allocates funds to local SWCDs
- ▶ Local districts
 - ▶ Set local funding priorities,
 - ▶ Receives and ranks applications,
 - ▶ Develop conservation plans and design practices
 - ▶ Oversee and certify implementation



How To Apply

Contact your local soil and water conservation district office!

www.ncagr.gov/SWC/findyourdistrict.html

- ▶ ACSP– Counties are allocated funding each year.
- ▶ CREP – Continuous signup
- ▶ AgWRAP – Funds are available in two ways
 - ▶ AgWRAP funding is allocated to counties
 - ▶ Competitive regional application process for selected BMPs
- ▶ CCAP – Competitive application process



NCDA&CS Division of Soil & Water Conservation

www.ncagr.gov/SWC

919-707-3770



North Carolina Agricultural Development and Farmland Preservation Trust Fund



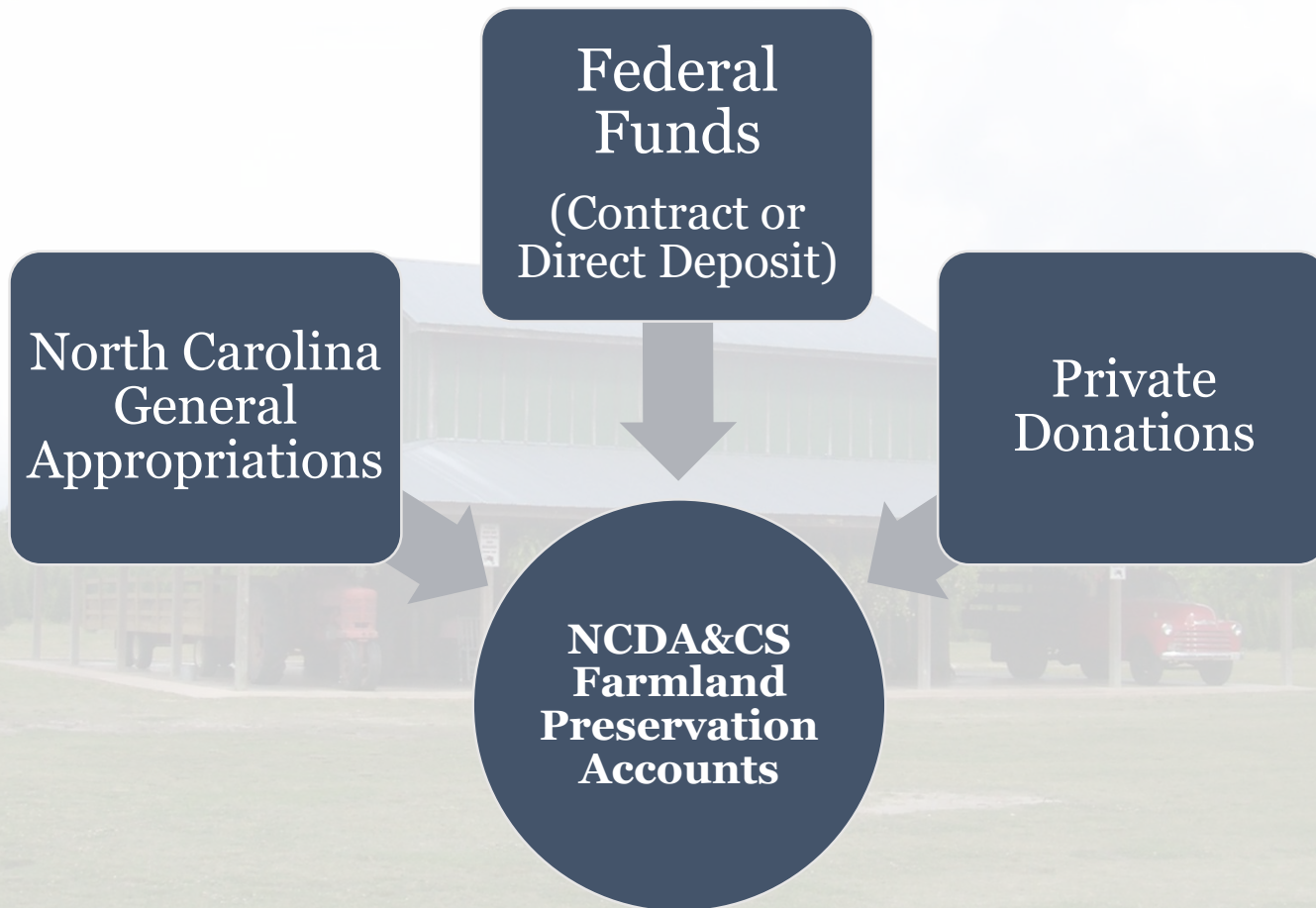
North Carolina Department of Agriculture and Consumer Services
Farmland Preservation Division

Steve Troxler, Commissioner

ADFP Trust Fund Background and Mission

- In March 2005, Agriculture Commissioner Steve Troxler delivered his "Agricultural Development and Farmland Preservation Strategy" to the North Carolina General Assembly. During the 2005 legislative session, the General Assembly passed House Bill 607, and the Agricultural Development and Farmland Preservation Trust Fund and was signed into law, N.C.G.S. 106-744.
- Assist in the preservation of N.C.'s agricultural economy by providing grants to county governments and non-profit organizations for conservation easements, agricultural agreements and programs.
- To encourage the preservation of qualifying agricultural, horticultural and forestlands to foster the growth, development and sustainability of family farms.
- Prioritize grant funding for maximum match resource utilization from private, local and federal constituent partners.

ADFP Trust Fund Funding



Who May Apply for ADFP Trust Fund Grants?

County Governments



Private Nonprofit Conservation Organizations



- Eligible entities may apply for conservation easements on behalf of private landowners. If awarded grant funds, the application entity will serve as the conservation easement holder.
- Open application period runs from mid-October to mid-December each year.
- Applications are filled out electronically at www.ncadfp.org

ADFP Trust Fund Grant Categories

Agricultural Development Projects

- According to N.C.G.S. 106-744, agricultural development projects are defined as “public and private enterprise programs that will promote profitable and sustainable family farms through assistance to farmers in developing and implementing plans for the production of food, fiber, and value-added products, agritourism activities, marketing and sales of agricultural products produced on the farm, and other agriculturally related business activities.”

Agricultural Plans

- Voluntary Agricultural Districts
 - 88 counties have passed VAD ordinances
- Farmland Protection Plans
 - 55 counties have endorsed FPPs
- Cost of Community Services Study
 - Ag lands are net providers of tax dollars



ADFP Trust Fund Grant Categories

Conservation Easements

- According to N.C.G.S. 106-744, an “agricultural conservation easement” means a negative easement in gross restricting residential, commercial, and industrial development of land for the purpose of maintaining its agricultural production capability.
- The ADFP Trust Fund provides grants to remove the development rights off the property and for other costs associated with the recording of the conservation easement.
- The property remains in private ownership.
- The conservation easement is held by a third party. County governments and conservation nonprofits are eligible third parties.
- Monitoring of the conservation easement property is conducted by the easement holder and NCDA&CS for the length of the conservation easement.
- Agricultural conservation easements may be perpetual or term-limited in duration.

Question and Answer Session

1. What can elected County officials do to help you accomplish your goals?
2. How can the US House help you accomplish your goals?
3. What methods are being used to increase membership?
4. Can you verify the role that our board plays when farms are threatened by condemnation for highways and ways we can help our farmers through this process? We have a Voluntary Farmland Preservation Ordinance.

Adjourn

